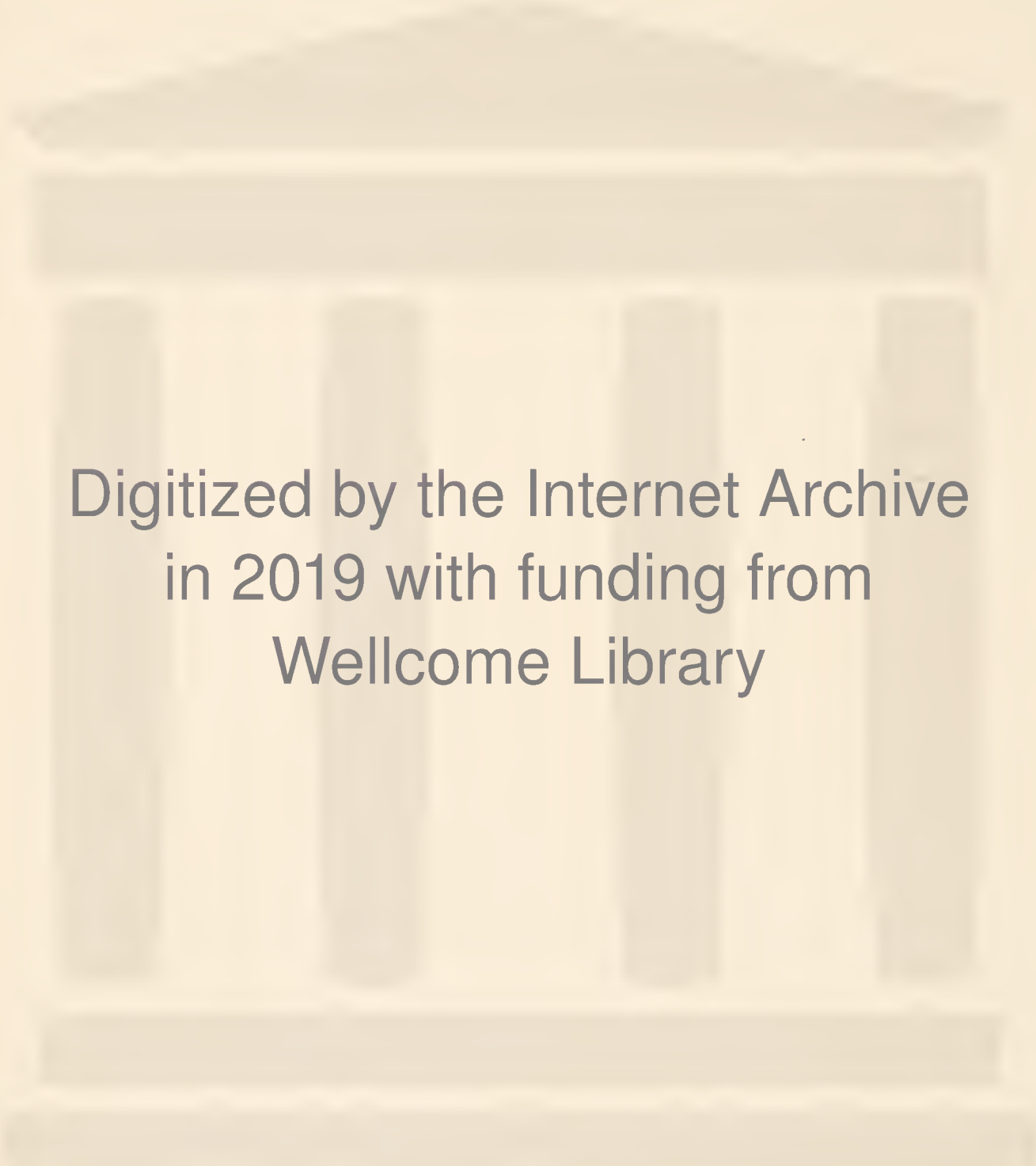


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THE
ANNUAL REGISTER,
OR A VIEW OF THE
HISTORY,
POLITICS,
AND
LITERATURE,
OF THE YEAR
1835.



LONDON:

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1836.

CONTENTS.

HISTORY OF EUROPE.

CHAPTER I.

STATE of Parties—Effect of the dismissal of the Ministry on the state of Parties and on Public Opinion—Coalition of the late Ministry with the Radicals and Papists—Overtures made by Sir Robert Peel to Lord Stanley and Sir James Graham, and declined—Dissolution of Parliament—Principles of the different Parties—General Election—Popish Intimidation in Ireland—Determination of the Opposition to oppose Mr. Abercromby to the late Speaker—Ecclesiastical Commission. [1

CHAPTER II.

Meeting of Parliament—Debate on the Election of the Speaker—Speeches of Lord Francis Egerton—Mr. Dennison—Sir Charles Manners Sutton—Mr. Abercromby—Lord Stanley—Lord John Russell—Sir Robert Peel—Mr. Abercromby chosen by a majority of ten—Sir Charles Sutton raised to the Peerage. [21

CHAPTER III.

Opening of the Session—King's Speech—Address in the House of Lords, carried without a division—Formation and Policy of the New Government attacked by Lord Melbourne and Lord Brougham, and defended by the Duke of Wellington and Lord Lyndhurst—Declarations of the Earl of Ripon and Duke of Richmond—Amendment moved to the Address in the House of Commons—Nature and object of the Amendment—Speeches of Lord Morpeth—Mr. Pemberton—Sir R. Peel. [37

CHAPTER IV.

Continuation of the Debate on the Address—Speeches of Mr. Robinson—Mr. Ward—Lord Stanley supports the Address—Speech of Lord John Russell for the Amendment—Speeches of Mr. Goulburn—Lord Dudley Stuart, Mr. Sergeant Goulburn, and other Members—Lord Howick supports the Amendment, but in the hope that, though it should be carried, Ministers will not resign—Speech of Sir James Graham for the Address, and Mr. O'Connell for the Amendment—Amendment is carried by a majority of seven—Discussion on the bringing up of the Report—Speech of Mr. Tennant—The King's answer. [72

CHAPTER V.

Discussion in the Lords regarding the Slavery Abolition Act—Conduct of the Ministry in its execution—Questions put in the House of Commons regarding the policy of Ministers, and rumours of an intention to dissolve Parliament—Answer of Sir Robert Peel—Mr. Hume gives notice of a motion to limit the votes on the Estimates to six months, which he subsequently reduces to three months—He abandons the motion—Motion by the Marquis of Chandos to repeal the Malt-tax—Speech of Sir Robert Peel against it—The Opposition likewise resist it, and it is lost by a large Majority—Discussion in the Commons

regarding the appointment of the Marquis of Londonderry to be Ambassador at St. Petersburg—Lord Stanley joins the Opposition in disapproving of the appointment—Lord Londonderry declines the situation—Discussion thereon in the House of Lords. [103]

CHAPTER VI.

Bill proposed by the Ministry to regulate the Marriages of Dissenters—Approved by the Dissenters—Ministerial plan for the Commutation of Tithes in England—Committees on the Military Expenditure of the Colonies, on Sinecures, and on Education, reappointed—Report of Commission regarding the Church of England—Bill for improving the Administration of Justice in Ecclesiastical causes—Sacrifice of Patronage by the Prelates—Bill for the better Maintenance of Discipline in the Church of England—Petition against the Alleged Interference of Government Officers in the Chatham Election—Motion to refer the Petition to a select Committee carried against Ministers—Motion for an Address to the Crown to grant a Charter to the London University, enabling that Institution to confer Degrees in Arts and Law, carried against Ministers—The Ministers challenge a direct attack by a Motion for a vote of Want of Confidence—declined. [137]

CHAPTER VII.

The Opposition determine to bring forward the question of the Appropriation of the Surplus Revenues of the Irish Church—Position of the late Ministers in regard to this Question—Notices of Lord John Russell regarding Reports from the Irish Church Commission—He resolves to proceed without them—Ministerial Tithe Bill for Ireland—Debate on the Resolutions proposed as the foundation of the Bill—The first Resolution carried by Ministers—Resolution moved by Lord John Russell to go into Committee in order to apply the Surplus Revenues of the Irish Church to the Education of all Classes—Speeches of Lord John Russell—Sir Edward Knatchbull—Mr. Ward—Sir James Graham—Lord Howick—The Solicitor-General—Sir J. C. Hobhouse—Mr. Praed—Mr. Littleton—Sir Henry Hardinge. [159]

CHAPTER VIII.

Continuation of the Debate on the Motion to go into Committee, in order to appropriate the revenues of the Irish Church—Speeches of Mr. Spring Rice for, and of Lord Stanley against, the Resolution—Sir John Campbell—Mr. Fowell Buxton—Mr. O'Connell—Sir Robert Peel—Motion carried by a majority of thirty-three—Renewed Debate in the Committee on the Resolution to appropriate the Church Revenues—Resolution carried by a Majority of twenty-five—Debate on Lord John Russell's further Resolution, that any Measure introduced regarding Irish Tithes ought to be founded on the principle of Appropriation—Resolution carried by a Majority of twenty-seven—The Ministers resign—Speech of Sir Robert Peel. [199]

CHAPTER IX.

State of public opinion regarding the late Ministry—Re-formation of the Melbourne Ministry—Conversation in the House of Lords regarding their coalition with Mr. O'Connell—Lord John Russell defeated in his re-election for Devonshire—The Ministerial candidates routed in Staffordshire and Inverness-shire—The new Ministry confine

their measures to Municipal Reform and the Irish Church—Lord Chandos's Motion for an Address to the Crown on the subject of Agricultural Distress—Motion for a Select Committee on the State of the Currency—Commission of Inquiry into the State of Municipal Corporations—Bill brought in by Ministers to Reform the Government of Boroughs—Read a Second Time without Opposition—Committee on the Bill—Division on giving the Crown the power of fixing the Boundaries of the Boroughs—Debate on Amendments to preserve the Patrimonial Rights and Parliamentary Franchise of the Freemen—Sir R. Peel's proposed qualification for Members of Town-Councils rejected—Lord Stanley's Amendment to renew one-third of the Town-Councils only, every second year, rejected—Mr. Grote's Motion to make it lawful to elect Town-Councils by Ballot, rejected—Discussions regarding the Clauses making Town Clerks removable at pleasure, and giving the Town-Councils the power of granting Licences—The Bill passes the Commons. [233]

CHAPTER X.

The Municipal Bill in the House of Lords—Petitions against the Reports of the Municipal Commission—The House decides to hear the Corporations by Counsel against the Bill—Counsel heard—The House resolves to hear Evidence in support of the Petitions—Evidence heard—The Bill in Committee—Clauses inserted preserving the rights of Property and Parliamentary Franchise of the Freemen—Amendment requiring a Qualification in the Town-councillors carried—One-fourth of the Town-Council declared to be Councillors for life—Other Amendments introduced in the Lords—Amendments of the Lords considered in the Commons, and the principal alterations agreed to—The Amendments of the Commons agreed to by the Lords with some exceptions—The Commons pass the Bill as finally returned from the Lords. [265]

CHAPTER XI.

Lord Morpeth introduces Bill for Regulating the Irish Church—Proposed Mode of suppressing Benefices to create a Surplus—Read a Second Time without Discussion—Sir R. Peel moves instruction to the Committee to divide the Bill into two Bills—Speech of Sir Robert Peel—Adjourned Debate—Motion lost—The Bill passes the Commons—The Lords agree to all the Clauses for the reduction and collection of Tithe—Debate on Motion to strike out all the clauses for suppression of Benefices and appropriation of their Funds—Motion carried—Ministers abandon the Bill—Bill to suspend Payment of the advances made to the Irish Clergy—Commission of Inquiry into the Church of Scotland—Dissatisfaction of the General Assembly. [289]

CHAPTER XII.

Discussions regarding Orange Societies in Ireland—Motion for addresses presented by them—Select Committee to inquire into their extent and tendency—Mr. Hume's resolutions regarding Orange Lodges in the Army—Case of Colonel Fairman—Proceedings in regard to contested Elections—Leicester—Cork—Dublin—Ipswich. Special Report—Proceedings against witnesses for evading service of summons—Great Yarmouth—Select Committee to inquire into allegations of bribery—Proceedings against witnesses for refusing to answer—Motion for the introduction of vote by ballot—Bill for limiting the time of polling at contested Elections—Report of a Select Committee for admitting Ladies to the debates rejected by the House. [324]

CHAPTER XIII.

Motion for the Relief of the Agricultural Interest—Discussion regarding the Currency—Motion for the Repeal of the Window-Tax—Proposal for a general Revision of Taxation—Alteration of the Duties on Tea—Discussions regarding the Grant to the West-Indian Planters—Motion for the Repeal of the Stamp-duty on Newspapers—The Budget—Discussions regarding Canada—Prorogation [348]

CHAPTER XIV.

Attacks on the authority of the Peers—Mr. O'Connell agitates for a Reform of that House—Effect on public opinion—The COLONIES—Irruption of the Caffres at the Cape of Good Hope—West Indies—Operation of the Act for the Abolition of Slavery—Disputes between the Legislative and Executive in Jamaica—CANADA—Opposition of the House of Assembly to the Governor—Adjournment of the Legislative Body—Arrival of Commissioners from Britain—Opening of the New Session of the Assembly. [365]

CHAPTER XV.

FRANCE.—Meeting of the Chambers—Discussions regarding changes of Ministry—Committee to inquire into the Tobacco Monopoly—Marshal Mortier resigns, and the Duke de Broglie is made Prime Minister—Finance—Commercial Legislation—Bill regarding the responsibility of Ministers—Petitions for Reform in the Representation—State Trials before the Chamber of Peers—Dispute between the Government and the Bar, as to the Defence of the Prisoners—Turbulent conduct of the Accused—The Trials proceed in absence of the accused, who refuse to attend peaceably—Proceedings of the Chamber of Peers against the Press, and a member of the Chamber of Deputies—Convictions of the State-prisoners—Attempt to assassinate the King, by the explosion of an Infernal Machine—New Laws modifying Trial by Jury, and limiting the liberty of the Press—State Trials resumed—Military events in Algiers—Dispute with United States. [387]

CHAPTER XVI.

SPAIN.—Unpopularity of the Government—Military Revolt in Madrid—Llauder compelled to resign—Weakness of the Ministry in the Cortes—Finance—Application of Church Property to Public Purposes—Seditious Movements at Malaga and Saragossa—Military Occurrences in Navarre and Biscay—Successes of the Carlists—Severe Measures adopted by Mina—Mina resigns the Command, and is succeeded by Valdez—Valdez advances, but is compelled to fall back upon the Ebro—The Carlists take Trevino—Convention for the Protection of Prisoners concluded under the Mediation of England—Popular Movement in Madrid in consequence of this Convention—Prorogation of the Cortes—Spain applies for Assistance against the Carlists to Britain and France—Refused, but Allowed to enlist Men in Britain—Count Toreno Prime Minister—The Carlists take Elisondo, Irun, Vergara, Villafranca, and Durango—They besiege and bombard Bilboa—Death of Zumalacarregui—The Carlists raise the Siege—Valdez resigns the Command of the Royal Army, and is succeeded by Cordova—Disturbed State of the Interior—Insurrection and Massacre of the Priests at Barcelona—A Junta formed which usurps the Powers of Government—Similar Occurrences at Saragossa—Valencia—Cadiz—Malaga—the Balearic Islands—Corunna—Futile Decrees of the Government—Military Revolt in Madrid

—Decree dissolving the Juntas disobeyed—The Andalusian insurgents march towards Madrid—Ministers resign, and Mendizabal forms a New Ministry—Decrees regarding the Press, and the suppression of Monasteries and Convents—A Levy en masse ordered—Meeting of the Cortes—Vote of Confidence in the Government—New Electoral law—Military Events—An Auxiliary Force from Portugal enters Spain.—PORTUGAL.—Complaints of the Opposition—Bill for the sale of National Property—Finances—Other measures of the Cortes—Death of Prince Augustus—Change of Ministry—The dismissed Minister of Finance recalled—Difference of opinion between the Queen and Cabinet as to sending Troops into Spain—Ministers resign—The Queen is forced to recal them—She finally dismisses them—Queen's Marriage—Meeting in the Cape Verd Islands—Termination of the Methuen Treaty with England—Convention with Spain for the Navigation of the Douro. [430]

CHAPTER XVII.

HOLLAND—Discussions regarding a Corn Law, and the Belgian Debt—Riot in Amsterdam—BELGIUM—Foreign Relations—Proceedings of the Chambers—Alien Bill—Commercial Restrictions—DENMARK—Creation of a Representative Body—GERMANY—Proceedings of the Diet against Immoral and Seditious Publications—Death of the Emperor of Austria—Commercial league of Prussia—Ecclesiastical disputes in Silesia—HESSE CASSEL—DARMSTADT—BAVARIA—SWITZERLAND—Disputes with the neighbouring States regarding Political Refugees—Religious Differences in Argau—Dispute between France and Basle-Country—POLAND—Speech of the Emperor of Russia to the Authorities of Warsaw. [471]

CHAPTER XVIII.

GREECE—Transference of the seat of government from Nauplia to Athens—Establishment of Judicial Tribunals—Operations against the disaffected in Messenia—Termination of the Regency and accession of the King—Creation of the office of Arch-Secretary of State, and change of Ministry—Discontents among the Greeks—Hostility to the Bavarian military—The King of Bavaria sets out for Greece—TURKEY—Influence of Russia—The passage into the Euxine refused to armed vessels of Britain and France—Insurrection in Albania—Military operations against the Kurds—A constitution established in Servia—SYRIA—Oppressive proceedings of the Pacha of Egypt—He invades Arabia—Plague in Egypt—PERSIA. [490]

CHAPTER XIX.

UNITED STATES.—Proceedings regarding the dispute with France—Extinction of the National Debt—The National Bank—Bill for the expense of fortifications—Lawless proceedings against the advocates of Slave Emancipation—SOUTH AMERICA—MEXICO—Unsuccessful attempts against the Government of Santa Anna—Establishment of a Central instead of the Federal Constitution—PERU—War by the President and Bolivia against the insurgent General—VENEZUELA—Military insurrection put down by Paez—NEW GRANADA—The EQUATOR—BRAZIL—Insurrection of the Negroes at Bahia—Capture of Para by the Indians,—BUENOS AYRES—Appointment of a Governor with extraordinary powers—Murder of General Quiroga—Attempts at Insurrection. [501]

CHRONICLE.

EVENTS

APPENDIX TO CHRONICLE.

King's Ministers:—

January, Sir Robt. Peel's . 181
 May, Visc. Melbourne's . ibid.

List of Members of the House
of Commons . . . 182

Sheriffs . . . 187

Births . . . 188

Marriages . . . 191

Promotions . . . 197

Deaths . . . 203

Finance . . . 242

Trade and Navigation . . 258

Public General Acts . . 261

Local and Personal Acts . . 266

Prices of Stocks . . . 272

Prices of Corn, Hay, and But-
cher's Meat . . . 273

Bills of Mortality—Bankrupts,
and Meteorological Table . 274

University Intelligence . . 275

LAW CASES AND NAR-
RATIVES.

Trial at Bar—The King *v.* Gibbs
Crawford Antrobus, esq. . 279

Bristol—Trial of Mary Ann Bur-
dock for Murder . . . 283

Jerrold *v.* Morris and another,
Remuneration of Dramatic
Authors . . . 296

Judicial Committee, Privy
Council—Swift against Swift,
otherwise Kelly . . . 299

PUBLIC DOCUMENTS.

DOMESTIC. — First Report

from the Church Commission
as finally settled—March 17. 302

First Report of the Commis-
sioners of Public Instruction
(Ireland) . . . 317

MANNERS, CUSTOMS, &c.

Ascent of the Schneekoppe,
Hempelsbaute, Adersbach,
Labyrinth of Rocks . . 327

The Riesengebirge and its In-
habitants . . . 330

Passage of the Leobel, Klagen-
furt, and its Environs . . 332

THE ARTS, &c.

The Pneumatic Railway . . 335

Chemical Observations . . 336

Junction of the Rhine with the
Danube . . . 337

Shower of Fish . . . ib.

Enumeration made by M.
Arago of all the Severe Win-
ters during the last ten Cen-
turies . . . ib.

Shower of Meteorolites . . 338

Degeneracy of the Potatoe . . ib.

Rot in Sheep . . . 339

The Annat Barley, a new
variety of Barley . . . 340

The Champagne Vintage . . ib.

PATENTS . . . 341

POETRY . . . 345

INDEX . . . 349

THE
ANNUAL REGISTER,
FOR THE YEAR
1835.

HISTORY OF EUROPE.

CHAP. I.

State of Parties—Effect of the dismissal of the Ministry on the state of Parties and on Public Opinion—Coalition of the late Ministry with the Radicals and Papists—Overtures made by Sir Robert Peel to Lord Stanley and Sir James Graham, and declined—Dissolution of Parliament—Principles of the different Parties—General Election—Popish Intimidation in Ireland—Determination of the Opposition to oppose Mr. Abercromby to the late Speaker—Ecclesiastical Commission appointed.

AT the opening of the present year, the state of the political world at home was one of great interest and excitement. The dismissal of Lord Melbourne's ministry in November had occasioned much surprise and vexation to its members and their adherents; but it did not call forth any burst of public disapprobation, and it did not produce in the country anything approaching to agitation. The preceding session had shewn the reform ministry in situations very unfavourable either

to its stability or respectability. By the secession, first of Lord Stanley and his friends, and subsequently of Earl Grey himself, it had lost those of its members on whose prudence, firmness, and moderation, the country had been most inclined to place any confidence. The causes of their successive retirements were by no means fitted to conciliate respect to those who remained behind, and who, associating to themselves a few other individuals of like principles with themselves, had formed

the Melbourne cabinet, which was thus nothing more than the original reform ministry abandoned by all its best men, because it seemed to them to be manifesting dangerous tendencies, and forming dangerous connections. These tendencies and connections went to what was termed working out the spirit of the reform act, and the protection and extension of popular rights; and these phrases, as they were explained by those who best knew what they themselves intended, meant the lodging of all political power in the hands of those in whose numbers nature has lodged all physical force;—the unrestrained exercise of that political power, by means of annual, or at least more frequent, elections of the commons—the abolition, or the transmutation into an elective assembly, of the house of lords,—the destruction of the established church—and the abandonment of Ireland to a Popish government, either by allowing the Papists to exercise substantial power acting through the ministers, or to assume the government even in form by a repeal of the legislative union. It was only by purchasing the support of parties attached to principles like these, that the Melbourne cabinet could maintain its existence. Its members might be inclined to higggle about the price, and endeavour to acquire that support for the smallest possible consideration; but so long as this continued to be their tenure of office, the institutions of the country could never be secure. Lord Melbourne and his colleagues might proclaim that, even to obtain the support without which they could not exist, they would sacrifice no

essential part of the constitution; but nothing was more natural than that the love of power should conceal from them the character of the proceedings by which it was to be preserved, and either bribe them to consider that as perfectly reconcileable with the ends and purposes of the constitution which changed its very nature, or blind them to the unavoidable progression of consequences in which it was only the first link. Neither did they command respect or admiration by the display of superior ability. The greater part of their members were below mediocrity; none of them rose above it. The seceding members of the cabinet had carried its talent away with them as well as its safe policy. To all, therefore, whether Conservatives or Whigs, who were alarmed at the prospect of a cabinet dependent on the support of that pressure from without which urged on to democratic and revolutionary results, its dismissal did not appear an event in any manner to be deplored. The dismissed ministers had stood low in the favour even of the radicals, and were punished for the sins of their predecessors, before they had made their own concessions, and formed their own alliances. The reform ministry, when it came under the guidance of Lord Melbourne, had lost its popularity with the radical reformers, who complained that it had resisted all their favourite measures of amelioration, and that, although they themselves had been used as instruments to raise the Whigs to power, they had been thrown aside, ridiculed, abused, and disclaimed, so soon as the interested objects of their employers had been attained.

From these causes, the dismissal of the Melbourne ministry was received by the country with undisturbed composure and perfect good humour; and to its members and their partisans this tranquillity was much more alarming and humiliating than the event itself, because it betokened a relaxation of power in the springs to whose action they trusted for their speedy return to office. They had expected that, at the intelligence, the country would be agitated to its centre; that their expulsion from power would be received as a declaration of war against the liberties and interests of the nation; that the events of 1831 would be renewed, and that public commotion and menace would bear them back in triumph to their former seats. They left no means untried to produce these effects. The dismissal of the ministry itself was announced in a public print, by a cabinet minister (as it was said), as having been exclusively the work of the Queen, a statement which was forthwith abandoned as a gross and calumnious falsehood. Then it was put forth as the result of a deep Tory plot and complicated Tory intrigues; but these assertions, too, were all abandoned. The multifarious organs of the party, disappointed in not finding universal dismay, preached up the necessity of indulging and creating it, and insisted, day after day, on the dreadful fate which awaited the country from the removal of the only men who had either head to conceive, or courage to undertake the task of saving the public weal, and putting in their place politicians who would repeal the reform act, impose new taxes, restore and multiply unnecessary pensions,

establish military law, and produce a civil war. The country, however knew that the picture thus exhibited was, in both its parts, a work of fiction, and refused to be dismayed. Even the radicals, irritated by what they esteemed the cold and distant treatment which they had received, did not raise any clamorous outcries at the downfall of their former associates, whose distress gratified their animosity, while it as certainly would drive the ousted ministers into a renewal of the connexion on terms more favourable to those whose alliance must again be sought.

The bargain accordingly was soon struck, and the alliance formed; and it thus became one result of the change, that a greater degree of influence was acquired by the radical party, than it had as yet been able to manifest. If the question were considered as lying only between the new and the late ministry, it was already decided in favour of the former, for the latter, by themselves, could muster no successful opposition. The whigs, meaning by this appellation those of the Whig party who still adhered to the principles and conjectured policy of Lord Melbourne's administration, could not possibly succeed in recovering office, except by gaining the undivided support of the radicals and Irish repealers, whose favourite political nostrums for carrying on the improvement of the constitution they had hitherto resisted. That support could not be obtained without allowing to the radicals an increased influence in public affairs in the event of the whigs being again restored to power: some share of the spoil must be abandoned to the allies

without whose aid no victory could be achieved. The country might not yet be prepared to see the patrons of democratic institutions and of Popish influence actually in place ; but, in the meantime, substantial power must be conceded to them, though it should operate through less obnoxious agents. The danger would have been avoided, if the whigs had possessed the self-denial to say, ' we cannot get the Government into our hands without the aid of men whose principles are not ours, and are dangerous to the constitution ; we cannot have that aid without increasing their influence, and enabling them to infuse some portion of their spirit into our own policy ; that is a price which we will not pay for the possession of power.' This was too much to be expected from the patriotism or disinterestedness perhaps of any party ; and the whigs and radicals soon came to terms for the purpose of putting down a common enemy. The formation of a conservative government by Sir Robert Peel, if it should be able to support itself by its own strength, was equally fatal to the personal ambition of the whigs, and the political views (which are only personal ambition in another form) of the radicals. To displace it, was a necessary condition of the whigs returning to office, and of the radicals possessing influence in the government. Widely separated, therefore, as these parties were from each other, on many points of the very first importance to the institutions of the country, they had no difficulty in striking an alliance for a common object. The new ministry, they said, would be opposed to what they called the spirit of reform ; and, therefore, it

was the duty of all reformers, whatever might be the opinions in virtue of which they styled themselves reformers, to sink, in the meantime, " minor differences," and unite in one great effort to expel the common enemy. Some of these " minor differences" were, whether in Ireland the protestant church should be maintained or abolished by either supporting no established religion at all, or by supporting popery as well as the church of the reformation ; whether, in any part of the kingdom, a national church should be recognized ; whether a further stride should be made towards pure democracy by extending the elective franchise beyond even the liberality of the reform Act ; whether elections should be septennial, triennial, or annual ; whether the House of Lords should be abolished, or converted into an elective senate, and whether, whatever shape it might assume, the bishops should continue to form any part of it. All of these were points on which the whigs, if they were true to the creed of their party and to their own repeated declarations, could have nothing in common with democrats and papists ; and even now they did not profess to have adopted any of the opinions on them avowed by them ; but they consented to unite with the radicals, and to owe to them their importance as a party, and the existence of their government, if they should be able to form one. The radicals, again, and the papists willingly consented not to press, in the meantime, these various questions as the test of party ; for by doing so, they inserted the small end of the wedge. They became the creators of a cabinet, which might not, indeed, promise to propose or to counte-

nance their favourite measures, but to which they could present, at any moment, the alternative of concession or resignation. Sir Peter Laurie explained the whole matter well on the hustings at the Middlesex election. "I asked a very influential radical the other day, why his party wanted the whigs in again. He gave me the same answer which my friend Hume gave me to the same question, namely, "because they are the weakest. We can manage them; we can pull them along; but we cannot manage the tories." The radicals could justify their declaration of war against the new ministry both in policy, because the old one would be better suited to their purposes, and on principle, because the new one would neither propose shorter parliaments, nor a more extensive franchise, nor vote by ballot, nor a democratic constitution for boroughs, nor the confiscation of church property to secular purposes, nor the destruction of the established church, nor the abolition of the house of peers. All these were broad and intelligible grounds for their opposition. But when the whigs opposed the new ministry, they were excluded from taking their stand on the greater part of these grounds; for, though some of them had professed a willingness to apply to the purposes of education the surplus revenues of the Irish Church, if such a surplus could be found, and though they had named a commission to inquire into the abuses said to be connected with the government of municipal corporations, they were as hostile, in words, at least, to all the other demands of the radicals as if they had been conservatives. With the radicals, both the real and the os-

tensible reason for wishing to oust the new ministry was the intelligible and sensible desire of removing an insuperable obstacle to the progress of their own principles; with the whigs, who professed to dread the progress of these principles, and yet united with the men who supported them in order to remove that very obstacle, the real reason for wishing to oust the new ministry was, a desire to take its place. The ostensible reason, again, which they were compelled to put forward was, not that the new ministry would refuse short parliaments, the extension of the suffrage, vote by ballot, the suppression of the peers, and the plunder and degradation of the church,—for all of these things they, too, had refused; but that it would oppose something which, not meaning any of these things, was called by the unmeaning name of "the spirit of reform."

Reform is a practical science, and whether a man is, or is not, prepared to act in the spirit of reform must be judged of by practical measures. The address of Sir Robert Peel to his constituents had declared (and they never pretended to doubt his sincerity) not only that the Reform Act would remain untouched, but that he would not be found any unwilling labourer in removing real abuses, though he would not truckle either to democracy or popery. The impression which that document was calculated to produce, was strengthened by the knowledge of the fact, that Sir Robert, immediately on his arrival, had made overtures to Lord Stanley and Sir James Graham, and by the conviction that he would not have made such proposals, unless his in-

tended course of policy had been one in which they could join him without inconsistency. Along with the Duke of Richmond and the Earl of Ripon in the house of peers, they had seceded from the ministry, during the previous session, even before the retirement of Earl Grey himself, upon the ground that it betrayed a willingness to adopt a policy too hostile towards the Irish Church, even while that policy still repudiated the idea of making any hypothetical declaration as to the manner in which an imaginary surplus of ecclesiastic revenue ought to be applied. On the question of the Irish Church, their opinions were almost identical with those of Sir Robert Peel. He had acquiesced in all the leading principles of their measures for the settlement of tithes, and they had joined him in opposing the alterations introduced into that measure for the purpose of gratifying the Catholic party. The new minister, so soon as he had accepted office, communicated to Lord Stanley and Sir James Graham the principles on which his government was to be conducted, and his desire to obtain their assistance. They declined the proposal, but declared, at the same time, that his administration would not encounter from them any factious opposition. Sir Robert Peel was right in making the attempt: it both gave an assurance that the principles of a government to which Lord Stanley was requested to accede would not be principles hostile to the removal of real abuses, for Lord Stanley and his friends had been leaders among the reformers; and it showed that, instead of desiring any monopoly of power, he was willing, for the purpose of forming

a strong and stable government, to share it with men whose station and character gave them weight in the country. Lord Stanley at his nomination as a candidate for the county of Lancaster, stated, "that the offer was precisely such as could be made by one honourable man to another. I must do Sir Robert Peel the justice thus publicly to state, that the communication and the offer, like everything I have seen of his public conduct, were frank, open, and manly, and that I have no ground for believing that he contemplated any insincerity or evasion. But still it appeared to myself and my friends that our public duties would be best discharged by declining the proposal. If we had agreed to join the new government for the purpose of strengthening it in those liberal measures which I believe it must and will carry into effect, to what calumny and misconstruction would our motives have been exposed? Would not the people have regarded us as having formerly resigned merely that we might rise upon the ruins of the government which we had quitted? Would it not have been said that our past conduct had been mere matter of intrigue, to enable us to resume office under more promising auspices?" He declared, however, that if he saw the government willing to carry liberal measures into effect, it would receive his support; and he utterly disclaimed the new doctrine that all differences of public opinion should merge in one great effort to overthrow the existing ministry. He would coalesce, he said, with no men, or body of men, whose principles and objects were not in accordance with his own, and he would join in no attempt to oust

the government unless he saw a fair and legitimate prospect of the formation of another administration which would better carry his own principles into effect.

The late members, disappointed at the tranquillity with which the country had received the intelligence of their dismissal, could place their trust only on the re-assembling of parliament. The existing House of Commons had been elected under the first intoxication of the reform bill, when the electors were in a state of unnatural excitement, and lavished their maudlin embraces, like other drunken persons, on all who had assisted in administering that overpowering draught. In that house the supremacy of the former ministers was overwhelming and inexpugnable: a majority, which rendered all opposition hopeless, moved as his majesty's government directed them, consenting even to recal to-day what they had voted yesterday. The country had returned, to a more sober state of mind; the mutual relations which bind society together had begun to resume their accustomed sway; public opinion had been disabused as to the false glory which had been shed around the great organic change; and apprehensions had already become prevalent that there was more need of the rein than of the spur. But the House of Commons remained unaltered, and the dismissed ministers had reason to hope that their successors would find it unmanageable. The sources of influence, which unavoidably belong to every executive government, might, no doubt, operate upon some members, and the ferocity of others might be somewhat tamed by a desire to avoid the ne-

cessity of standing a new election; but it seemed impossible that a body so completely wedded to all the plans and principles of the late ministry could easily transfer its troth to a new wooer, or allow the new government to proceed without forcing upon it measures which it could not adopt. These views, or views like these, led the ministry to have recourse to a general election. Their opponents attacked the dissolution even more fiercely than they had attacked the dismissal of the ministry, and their very discontent seemed to justify the act. They represented the dissolution as being an act of madness; they affected to congratulate themselves on the new cabinet having been so far left to itself as to appeal to the people: they loudly proclaimed that the only thing to be dreaded from the coming election was, the great probability of a House of Commons being returned still more favourable to innovation than its predecessor—one which would strike down the church, swamp the peerage, and shake the throne. But in the same breath they treated the dissolution as an insolent, unnecessary, and despotic act; and the violence of their invectives excited strong suspicions that they themselves placed little faith in their affected congratulations. If it was true, as they constantly alleged, that there would be a change in the policy of government, of which the existing House of Commons would not approve, what could be more reasonable or constitutional than that the crown should ascertain, by a general election, how far the country would approve of it? If the whigs were convinced, as they pretended to be, that the general election would

only increase the preponderance of themselves, and their radical allies, why oppose a measure which, besides being popularly constitutional in itself, was to decide the battle in their favour, and render their supremacy still more unquestionable than before their late fall?

In their addresses, and on the hustings, the whigs took their stand on the general ground that the new ministry were enemies to "reform," and in particular that they would be opposed to placing the government of boroughs in the hands of the people, and to the removal of abuses in the churches of England and Ireland. While they uniformly maintained that the reform act rendered it impossible for any ministry to pursue a line of policy opposed to its spirit, while they had no knowledge how far the existing cabinet would go, either as to municipal corporations or the Irish church, and while they themselves had propounded no measure in regard to the former, and had received the support of Sir Robert Peel in regard to all measures adopted as to the great principles of the latter, they took it for granted, as the subject of their declamation, that this impossible policy was the policy which Sir Robert Peel had determined to adopt. Why, they asked, had parliament been dissolved? Only because ministers were convinced that it would place no confidence in them; thus admitting that they were not to be a reforming ministry, for if such had been their intention, why should they dread a parliament which was distinguished only by being a reform parliament? The late ministry, too, it was assumed, had been dismissed only because they had been prepared to bring forward efficient measures of reform. All these in-

tended measures would now be suppressed, and even the reform act itself would not be safe. Sir Robert Peel indeed, had declared, that he would not touch it; but if an attack was made upon it by any other person, he undoubtedly would employ all his official influence in favour of the assailant. The Duke of Wellington had protested against it as a measure dangerous to the crown; and holding that opinion, he was bound to endeavour to repeal it, if he was an honest man. Were there nothing else, the very fact that the new ministry were in office was a reason for turning them out, because the dismissal of the late ministry was unconstitutional, and, therefore, every person acted unconstitutionally who consented to succeed them, and, by so doing, prevented their immediate restoration to office. The late ministry had the full confidence of one branch of the legislature, and the submission of the other; the people had not petitioned against it; and the king had concurred in every measure which they had proposed. But even if the new ministers were prepared to propose measures of reform, that was only an additional reason why they should forthwith be dismissed, for, in that case, they were unprincipled renegadoes, devoid of all political honesty, and deserving the reprobation of all upright men.

Notwithstanding the reiteration of statements like these, the Whigs were perfectly aware both of the truth of their own doctrine that, under the reform bill, no ministry could resist alterations called for by the calm and settled sense of the country, and of the fact that the new minister would show a willing acquiescence in that prin-

ciple, and, by his influence in the peers, carry it more successfully into operation. Their object, therefore, was, if possible, to gain a majority which, at the very opening of the session, would compel his removal by a vote of want of confidence, or some measure of equally decided character. "Give us a fair trial," was the request of ministers. "You shall have no trial," was the answer of their opponents; first, because although we do not know what you are going to propose, we believe that you will not propose anything worth trying; secondly, because even if you propose good and satisfactory measures of reform, you have no right to do so, and we could have done that as well as you, if not better; thirdly, because, if you get this trial, how do we know but you may so far succeed in satisfying the country, that our opportunity of turning you out will be lost." "I wish to preserve everything that is really useful," said Mr. Grote, one of the candidates for the City, to the citizens of London, "and I am for destroying everything that is really hurtful; but I will not be content to conduct the inquiry for that purpose under the auspices of any but willing ministers. I will not trust that office in the hands of men who are known to be insensible to the most hurtful abuses; for men, who did not see abuses in the rotten boroughs, will see them nowhere. Let the cause of reform be placed in the hands of men who are willing and hearty in carrying it forward; but it would be insanity to suppose that the cause of reform would be safe in the hands of the present ministers." Whether it would be safe or not depended entirely on what was meant by

the words, "the cause of reform," by what was "truly useful" and "truly hurtful." In the mouth of this gentleman, these words meant, among other things, vote by ballot, and shortening the duration of Parliaments. If he meant that there was no hope of obtaining these concessions from the present ministry, he was right; but he was just as certain of not obtaining them from the late ministry, if they adhered to their principles and declarations, instead of abandoning the one and falsifying the other, in order to bribe men who held such opinions by the prospect of being allowed to make them ultimately triumphant. In the same way, Mr. Daniel Whittle Harvey, a successful candidate for the borough of Southwark, had no hope that the new ministry would be useful labourers in "the cause of reform," and with him the cause of reform implied the destruction of the House of Lords. "If a person were to pull down a house," said he, "for the purpose of rebuilding it, and leave standing a small mass of the old building that is a disgrace to the whole, what would be thought of him? What would be the use of building a new London bridge, and leaving the old one standing? Such is the state of things as between the Lords and Commons. The latter has been regenerated and purified: the House of Lords is not. Now the entire edifice of the constitution must be made to harmonize in all its parts, from the king down to the meanest subject." This, too, was perfectly intelligible; but this, too, was a "cause of reform" to which the late ministers could not dare to avow, and did not avow, that they would lend any countenance.

On the other hand, the Conservatives, and those who were willing to see whether they could not proceed in the cause of useful improvement as efficiently and more safely, under the statesman-like guidance of sir Robert Peel, as under the direction of a cabinet now utterly dependent on radicals and papists, asked, — What is meant by this ‘Reform,’ which you say is endangered by the dismissal of the late ministry? The word itself tells us nothing; it may mean something good, or something very bad, according to the opinions of the men who use it. Does it mean vote by ballot, annual parliaments, a lower franchise, alterations in the House of Lords, and the abolition, immediate or gradual, of all established churches? Are all, or any of these things, elements in the reform, which, you say, will be endangered by allowing the present ministry to remain in power? If this be what you mean, say so plainly; and, as you are undoubtedly right in holding that the present ministers will not concede this reform, put the question to the late ministers, whether they will concede it? You know, and we hope, that lord Melbourne is as deeply pledged against these measures as sir Robert Peel. This is a reform which we do not wish to see successful; this is a reform which the late ministers, if they were men to be believed, did not wish to be successful. What then do you mean by preferring the old ministry to the new? These being your opinions, although we think them very mischievous opinions, still you would be acting rationally in preferring a ministry who would concede them to one who

will steadfastly resist them; and, therefore, since in words the old ministry disown your doctrines no less than the new, and yet receive your enthusiastic support, you compel every man who thinks you act reasonably to believe that you know you will not find in the old cabinet, notwithstanding its professions, the same obstacles which you must encounter in the new. In short, you must feel, that by displacing the present ministry you are assisting the progress of your own opinions; and if so, then you are undoubtedly acting with perfect worldly wisdom, but the very men you are supporting are in fact betraying the constitution and the monarch whom they profess to be serving, and we have their own authority for opposing both them and you.

As this is not the reform for which the late ministry can ask of the country to dismiss a new minister without allowing him even a hearing, what is that reform which is made the pretext of so violent an invasion of the prerogative of the crown to choose its own servants? The people have a right to complain of those servants, if they do not do their duty to the public satisfaction; but what are the points, on which it is as absolutely certain that they will fail to give the country satisfaction as if that failure already existed? Is it economy of the public money? The men who compose the new ministry first began the career of retrenchment, and are admitted even by their adversaries to have followed it in the most praiseworthy spirit. Is it peace with foreign states? The whigs boast of having maintained peace during four years, in the course of which they were

parties to a hostile attack upon Holland ; their predecessors maintained it for fifteen years. Is it favour to revolutions in other countries ? Who but the duke of Wellington was the first to recognize the new king of the French, created by the insurrection of Paris, and of Donna Maria to the throne of Portugal ? —and the Duke of Wellington did not allow despotic Russia to increase its gigantic strength by the virtual subjugation of Turkey, and he did not pay her money to be employed in crushing the revolution of Poland. Is it the corn-laws ? The old ministry resisted every attempt to alter them. Is it church reform in England ? Commutation of tithes, and a better arrangement of church rates, had never been opposed by the new minister, and the bill of the late ministry regarding the former of these measures was abandoned by themselves. Is it the total abolition of tithe and church rate ? Sir Robert Peel says, indeed, that this he will never grant ; but so likewise says lord Melbourne. Is it the Irish church ? Sir Robert Peel declares that he will not consent that any portion of her revenues, even if a surplus should be thought to exist, shall be applied to purposes not ecclesiastical. The late ministry lost its most distinguished reformers, because they were of the same opinion ; and even then, it successfully resisted a motion calling upon the House of Commons to record an opposite opinion. They have never even ventured to say that a surplus will exist at all. Will you dismiss a ministry because it will not pledge itself to decide in a particular way a question, which, you admit,

may never arise ? Or is it not rather because you expect to compel the late ministry not merely to fix beforehand a particular mode of disposing of a surplus if it shall be found, but to create a surplus for the purpose of disposing of it ? Does not your reform of the Irish church mean its destruction as an established church ? If so, true it is that Sir Robert Peel is determined to resist you ; but which of the late ministers will venture to declare that he intends to support you ? Did the former cabinet propose to diminish the amount paid to the Irish clergy, to alter its mode of collection, or to transfer the direct burden to more wealthy debtors ? In all these propositions Sir Robert Peel acquiesced ? Is it a sufficient reform of municipal corporations, that you want ? What does this “ sufficient ” reform mean ? What are the alterations, which, you say, the new ministry will certainly refuse ? The old ministry had proposed no measure on this subject. They appointed a commission to inquire. The report of that commission, they said, would enable parliament to judge of what abuses might exist, and of the remedies which ought to be applied. With that commission the new ministry has not interfered. It still remains to be seen, as it did under Earl Grey and Lord Melbourne, what are the abuses, and what should be the remedies. If Sir Robert Peel, when the question arises, refuses to agree to such remedies as parliament shall consider necessary, then will be the time to compel him to retire, or rather then will be the time for him to decide whether he shall retire, or submit to the will of parliament. But was it ever heard of, that

because a ministry might possibly not go so far as the country might desire on one particular point, it is the duty of the people to return to parliament members who will give to the measures which these ministers may propose, not a calm and candid consideration, but an uncompromising opposition; who will compel the king to dismiss his servants, or these servants to resign,—not because they are following a policy alien to the interests or sentiments of the country, not because they have failed in their public duty,—but merely because his Majesty, in the undoubted exercise of his prerogative, has thought them better fitted to discharge that duty than certain other persons? “If this attempt be successful,” it was said in the address of the conservative candidates for the city of London, “if this attempt be successful, where is the value of the King’s prerogative? If in this manner one of the elements of the constitution be nullified, which is next to be sacrificed? Where is this course of disorganization to stop. And on what ground is it that this unconstitutional opposition is threatened? Is it that the King has appointed incompetent or corrupt ministers to conduct his government. Is Sir Robert Peel as prime minister less competent than lord Melbourne? Is the duke of Wellington less able to conduct the foreign negotiations of the state than lord Palmerston? Is Lord Lyndhurst a less able chancellor than Lord Brougham? Is Mr. Alexander Baring less acquainted with the commercial interests of the country than Mr. Poulett Thomson? Where, then, has the nation sustained injury by these appointments? The cry

of anti-reform is a mere delusion. There is no such spirit in the government. Who was a more steady, practical, solid reformer than sir Robert Peel when he was in power before? Look at the measures which, as home minister, he brought forward, one after the other, as fast as he could mature them—all of real substantial usefulness? Who is so capable as such a man of effecting whatever further reforms our civil or ecclesiastical polity may stand in need of in the only way they ought to be made—carefully and prudently? As to the cause of constitutional liberty, where is the man who has so triumphantly upheld that sacred cause as the duke of Wellington? Where would the liberties of Britain and the other nations of Europe have been at this hour, but, under providence, for him? And when he held the powers of government at home, when was the royal patronage more purely and more honestly administered than by his hands? What have such men as these to gain by upholding abuses? Possessing reputation, honour, and wealth, their dearest interests are bound up with those of their country and must ever remain so. The tyrannical spirit of those who now seek, under the guise of reformers, to guide the public mind, is offensive to the national character. They tell the King, ‘If your Majesty shall venture to select your Ministers out of any other than one section of public men, whom we may choose to call reformers, we will, as far as in us lies, subvert your government; we will return members to Parliament who will oppose every measure it may bring forward.’ Is this indeed the liberty of English-

men? Are such men as those who have been adverted to, to be for ever excluded from devoting their talents and experience to the service of their country? If the King, in the exercise of his royal judgment, withdrew his confidence from his late ministers, was he the first to do so? Did not earl Grey, Mr. Stanley, sir James Graham, the duke of Richmond, the earl of Ripon, set his Majesty the example? Did not they successively withdraw from the late government because they could no longer act with it?" Sir Francis Burdett took the same view of the fall of the late cabinet, and refused to pledge himself to an unreasoning opposition to its successors. He said in his address to the electors of Westminster, with whom he was again a successful candidate, "Believing that lord Melbourne honestly intended to make the public welfare the principle of his government, I regretted the loss of his power; but my regret was accompanied by no surprise and by no alarm—by no surprise, because, although no authentic explanation has yet been given, I had for some time apprehended that his administration contained within itself the elements of its own destruction; and by no alarm, because I felt, and now feel, assured that the representatives of the people in the reformed House of Commons will not permit the present ministers nor any other men to abuse the authority and power which the prerogative of the Crown confers upon them. Seeing the names of which the majority of the new administration is composed, it cannot, in me at least, inspire confidence; but there is no cause to fear them, or anything

they can do, because, if they will not, or, from old habits and prejudices, cannot, act in pursuance of the national will, as expressed in the house of commons, they cannot maintain their power, and must give place to men who know better what their duties and the circumstances of the country require."

The result of the elections put an end to any hope which the whigs might have entertained of at once driving the new ministry from office. Instead of increasing the combined numbers of themselves and their radical allies, it brought an addition of more than an hundred members to the conservatives exclusive of those whig-reformers, such as the party of Lord Stanley, who refused to identify themselves with the whig opposition in its present condition and conduct, and of those among even the radicals, such as Mr. Cobbett, who would not consent to be used merely as instruments for lifting into power, men who would not manfully adopt any one of their opinions, and yet boasted their alliance as being engaged in a common cause. To retain their preponderance, the whig and radical members of the late parliament, had only to retain the seats of which they were in possession; the conservatives, in order to place themselves on anything like equal ground, had to perform the infinitely more difficult task of ousting an opponent and returning one of themselves; but wherever this could be accomplished, it was a gain of two votes. They were unsuccessful in the first election, that of London. The only one of the four city members in the last parliament who had been returned by the

conservatives, lost his seat, although, only a very short time before, a public declaration against any attempt to oust the ministry without waiting for their measures, had been signed by an immense majority of the mercantile and commercial wealth of London. In Finsbury, too, a radical took the place of a former member who was favourably inclined towards the new ministry; in Mary-le-bone, another radical ejected Sir William Horne who had been the attorney-general of the reform cabinet; and the brother of the late lord Chancellor did not again stand for Southwark, which devoted itself to two politicians of the same extreme opinions. In none of the metropolitan boroughs where the voters of the lowest class are always most numerous, did any conservative find a place: and the successful candidates were in general men of the ballot, of an extended suffrage, of short parliaments, voluntary churches, and an elective house of peers, or no peers at all. In the provinces, even the borough elections exhibited a large intermixture of a different character. Of the larger towns, Bristol, York, and Leeds, dismissed each of them, an oppositionist, to return a friend of the ministry, the conservative candidate in Leeds being at the head of the poll, and both the members for Bristol being now of the same party. Newcastle, Exeter, Hull, Warrington, and Halifax followed the example. In Liverpool, Lord Sandon not only kept his seat, but was at the head of the poll, while the second member, Mr. Ewart, who, at the preceding election had outstripped his lordship by more than 700 votes, was 200 or 300 below him, and not 200 votes

above the second conservative candidate, Sir Howard Douglas, who polled between 600 and 700 votes more than he had polled on that occasion. The same results took place in many other boroughs: and the public opinion was still more strongly expressed in the county elections, which returned a decided majority in favour of the ministry. In some instances, as in the southern division of Lancashire and Hampshire, both the former members were compelled to make way for conservatives. In Hampshire, one of the rejected candidates was Viscount Palmerston, the Foreign Secretary of the late cabinet.

In Scotland there were some changes, but the comparative strength of parties remained nearly the same. Whigs were ousted from five counties; they succeeded in three where they had formerly failed, and in one of these the loss to the ministry was the more marked, as the unsuccessful candidate was Sir George Murray, the new master general of the ordnance. Nothing could be more conservative than the elective peerage of Scotland. In the late parliament, it had contained only one nobleman of whiggish propensities, Lord Elphinstone. His lordship was now passed over, and a conservative peer, Lord Reay, was elected in his place.

Even in Ireland the retinue of the popish agitator was somewhat diminished, although there the popish priesthood exerted to the utmost all their powers of spiritual domination, while O'Connell and his minions practised every form of violence and intimidation against every candidate who would not join in his creed of repeal, vote by ballot, short parliaments, and ex-

tension of the suffrage. On the hustings at Dublin, he stated his principles thus: "I am still for the repeal; sink or swim, live or die, I am for the repeal. And here I proclaim, I attest by every thing sacred, without the profaneness of an oath, but with all its sincerity, to those who have most opposed me, that they will find me ready to concur with them, and make with them the transition not only free from danger but perfectly safe,—to change the destructive elements of faction into kindness, generosity, and affection. I am for shortening the duration of parliaments. I have heard a great deal of boasting about the king dissolving the parliament now about to be elected; why, if my principles were carried into effect, it would die a natural death next year. Three years, however, was the period fixed at the revolution, and as I like to build upon the old foundations wherever I can, I would not go farther than the principle of triennial parliaments established at the Revolution. I am likewise for the extension of the suffrage. The man who compels me to pay a tax would be guilty of robbery, unless it were on this principle, that it is just because it was imposed by parliament, and every man is represented in parliament. I want to make that true in fact which at present is only theory. Every man who contributes to the taxes should have a right to vote the moment he attains the legal age, whatever that may be determined to be. It is robbery to tax a man, if he has not a vote for a representative. I am likewise decidedly for the vote by ballot. Whoever votes by ballot votes as he pleases, and no one need know how he

votes." The knight of Kerry started as a candidate for his native county. He had formerly represented it during thirty years. He had been a faithful supporter of the cause of Catholic emancipation; but the excellence of his conduct as an Irish citizen and landlord could not save him from proscription, so soon as he refused to become an instrument in the hands of the popish priesthood and their agitator. The voters were collected in their chapels by the priests, and led forth to the poll under threats of being refused all the rites, and visited with all the punishments of their church, if they refused to vote for the candidate of O'Connell. O'Connell himself threatened murder to every elector who should oppose him. The knight of Kerry had spent his whole life in resisting Orangemen; yet O'Connell said, "Every one who dares to vote for the Orange knight of Kerry shall have a death's head and cross-bones painted on his door." Although supported by nearly all the property, intelligence, and respectability of the county, the knight of Kerry was defeated by the popish priesthood. Of a candidate for New Ross, who refused to enlist under his banner, O'Connell said, "Whoever shall support him, his shop shall be deserted; no man shall pass his threshold; put up his name as a traitor to Ireland; let no man deal with him; let no woman speak to him; let the children laugh him to scorn." Mr. Sheil, another great organ of the popish faction, opposed a conservative candidate in the county of Clonmel, in the following words: "If any Catholic should vote for him, I will supplicate the throne of the Almighty

that he may be shewn mercy in the next world; but I ask no mercy for him in this." All these appliances, however, were not always successful; and in Dublin itself, O'Connell with his colleague, Mr. Ruthven, had great difficulty in obtaining even the return, which was not necessarily the same thing with securing his seat. At the previous election O'Connell had obtained a majority of 1549, and Mr. Ruthven of 1490 above the highest conservative candidate. On the present occasion the majority of Mr. O'Connell was only 217, and of Mr. Ruthven 169. Of this majority between five and six hundred votes were objected to, on the plain ground that they were bad, as the taxes for the premises voted on had not been paid. The assessor, however, finding the names on the register, thought it safer to leave it to a Committee of the House of Commons to strike them off the poll. This gentleman was acting as a judge, yet he found it necessary publicly to state that O'Connell had attempted to influence his judgment by threats and intimidation. Mr. Latouche, a banker, and leading man in Dublin, who had formerly opposed the conservative candidates, now supported them, and stated to the assembled electors his reasons for doing so. "It was not my intention," said he, "to have voted at the present contested election; but when I heard and witnessed the threats and shameful intimidation resorted to by the opposite party—when I saw that men were menaced with death's-head and cross-bones being placed over their doors, and that it was threatened that a circle should be drawn around our shops and our establishments, I felt

bound as a true friend of peace and good order—I felt myself imperatively called upon to step forward at this important crisis, to vote for Messrs. Hamilton and West. For although I may differ from these gentlemen on some political matters, such for instance as the question of tithes, yet I think that any reform must be a political humbug which interferes with the freedom of election by threats and intimidation such as that now resorted to. I therefore wish to set an example to my fellow-citizens, to protect their property, their lives, and the lives of their children, and, what should be more dear than property or life, to preserve the integrity of the constitution." The principles on which O'Connell stood as a candidate were — repeal of the union, universal suffrage, vote by ballot, and in the mean time, at least, triennial parliaments—and above all these, the abolition of tithes. Yet he received the votes of the family and retainers of the late whig Lord Chancellor of Ireland. Everywhere the language of the whigs was, 'Return whigs rather than conservatives or radicals, but radicals rather than conservatives.'

The result of the elections secured to the ministry a decided majority, in so far as England was concerned, and they would have had a majority even in the whole representation of the empire, but for the popery of Ireland, which was now arrayed against the opinions and sentiments of protestant Britain under the banners, and to serve the party views of men who had been, and aspired again to become, the ministers of that protestant country. As it was, the increased numbers of the conserv-

atives, and of those who wished to judge of the ministry only by what they did, so nearly equalled those of the combined whig and radical opposition, that the latter abandoned all intention of either addressing the king to remove his servants, or of passing any direct vote of censure or want of confidence. To try their strength, however, and gain the advantage of shewing that a majority, however small, and however brought together, might be united against the minister, they resolved to open the campaign by opposing the re-election of Sir Charles Manners Sutton to the speaker's chair. O'Connell, with whom this matter was necessarily negotiated, was said to have wished the whigs to join him in a candidate of his own nomination; but he was induced to lend his vote to the election of Mr. Abercromby, one of the members for Edinburgh, who had the great recommendation of having expressed very liberal principles as to dealing with the property of the Irish church, and of never having been able to make up his mind that the doctrine, that there should be no established church at all, was a bad one. Educated for the bar, at which his name was little known as a lawyer, although those, who proposed to make him speaker, spoke of his "profound legal knowledge," — Mr. Abercromby had early deserted the practice of the law to try the paths of political adventure. He had been brought into parliament, and for a long course of years had continued to sit for one of the boroughs of the Duke of Devonshire, in the management of whose influence and affairs he held a confidential and paid situation. Thus tied to

VOL. LXXVII.

a party, he had displayed no ambition to distinguish himself as a leader; but being a man of fair talents, he acquired experience, and justly gained the reputation of being a shrewd, sagacious, wary person, who had treasured up a considerable quantity of practical knowledge, as to the forms of the House of Commons, if he had not often delighted it by brilliant orations. Such, at least, had Mr. Abercromby appeared in the public history of the country, when the embarrassments which Mr. Canning experienced in forming a ministry, opened to the whigs the dawn of returning power, after a long night of thankless opposition. The Marquis of Lansdowne having joined Mr. Canning, Mr. Abercromby was made judge-advocate. He continued to hold this office under Lord Goderich, but resigned it when the Duke of Wellington formed his government in 1828. In 1830, the duke, desirous of mitigating the rancour of the opposition, sought to conciliate the Devonshire influence, by appointing Mr. Abercromby to the vacant office of chief baron of the Scotch Court of Exchequer, a court, the abolition of which had already been resolved upon, and was immediately effected; the new chief baron having scarcely assumed the office, when its suppression entitled him to a pension. Enjoying this judicial retirement, he had formed no part of the original reform cabinet; but on the resignation of Earl Grey, and the formation of the Melbourne ministry, he had been called into the cabinet as master of the mint.

The attempt, which was now to be made to raise this gentleman to the chair of the House, involved

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his patrons in contradictions, to which only the utmost recklessness of party spirit could have rendered them blind or indifferent. Sir Charles Manners Sutton had filled the chair for eighteen years. During that long period, he had gathered so much experience—he had manifested so much learning, ability, and diligence,—he had maintained such spotless impartiality, and conciliated to himself so much esteem and respect with every party in the House, that vanity itself could not mislead any man to consider himself a more worthy competitor. He had ruled the house with temper and wisdom amid all the fury of the reform bill debates; and so deeply did all men who thought feel the necessity of retaining him in the chair, that, on the meeting of the first reformed parliament in 1833, Earl Grey's ministry itself had unanimously proposed and carried his re-election as speaker. Alien though he was to their politics, they had declared that a difference in political opinion was no good reason for excluding from the chair the man who was admitted by all to be best able to discharge its duties. The experience of the two sessions, which had since elapsed, had only demonstrated the wisdom of the choice thus made by the reform ministry and the reform parliament. To justify, therefore, the opposition which was now to be made by the very same men to the very same speaker, an outcry was raised against him, that he had forgotten the gratitude which was due from him to the late ministry, and the duty which he owed to the House, by intriguing for the dismissal of the one, and counselling the dissolution of the other. The public journals of all the sec-

tions of the opposition stated, day after day, that the dismissal of the Melbourne cabinet had been the result of a plot; that Sir Charles M. Sutton had been an active participant in that plot; that he had even lent himself to the dissolution of parliament, and, with a view to the furtherance of these objects, had been in constant communication with the Duke of Wellington and Sir Robert Peel. With the exception that Sir Charles had unavoidably been brought into communication with the king regarding the arrangements rendered necessary by the fire which burned down both houses, and that he had attended, when summoned as a privy councillor, some meetings of the privy council for mere matters of course in the routine of administration, all these statements were utterly unfounded in point of fact. The journals, which, every other day, were calling public attention to communications held, and visits paid, by the speaker in suspicious quarters, were stating things which had no existence—mere lying inventions, abandoned as soon as they had served their party purpose. Sir Charles Sutton, reserving his defence for the House of Commons itself, did not condescend to newspaper controversy, and the object of all this calumny was, to a certain extent, secured. Constituencies, who, however much attached to the late ministry and parliament, would never have thought of objecting to the speaker whom these two bodies themselves had specially delighted to honour, pledged their representatives to vote against his re-election under the pretext, or, it might be, in the honest, though erroneous belief, that he had plotted the expulsion

of the government and of the House of Commons in whom they trusted.

Mr. Abercromby himself, justly dreading the danger of a contest, and much too sagacious not to feel the unfavourable contrast in which he would stand to the late speaker, and that he would owe his elevation, if successful, not to any belief in his superior merits even among his own supporters, but solely to considerations of party expediency, at first declined the proffered honour; but he at last yielded to the assurances of Lord John Russell, who took upon himself to act for the combined opposition, that the question was not merely one of individual preference, but involved likewise "a great public principle," a principle, however, which no attempt was made to state or define intelligibly, and which, their opponents said, meant nothing more than the principle that only the political adherents of Lord John Russell and Mr. Abercromby were entitled to fill the high offices of state.*

* The letters in which the intention of the opposition to propose Mr. Abercromby was announced to the public were the following:

"Woburn Abbey, Jan. 27.

"My dear Abercromby,—I was very sorry to find, from the different communications which I have had with you, that you were so unwilling to comply with the desire of many members of the House of Commons, that you should be proposed for the chair at the meeting of the new Parliament.

"After you had declined, however, I should have been myself reluctant to press on you a proposition which I found personally unacceptable; but when I tell you that I have been urged from various quarters, and in the strongest terms, to place before you the earnest wishes and general concurrence of those with whom

Before the meeting of parliament, the ministry had prepared for the measures which they intended to propose regarding the English church by appointing, an ecclesiastical commission for the purpose of considering the state of the church in England and

you have been connected in public life, that you should allow yourself to be put in nomination for the chair, I trust you will reconsider your decision. Above all, I think you will be influenced by the argument I have to state, that they view the present election of a speaker as a question not solely of individual preference, but of public principle; and they are convinced, that in order to try this question with the utmost advantage, it is of great importance that you should not decline this high honour, if the House should be willing to confer it upon you.

"I remain ever yours most faithfully,
"J. RUSSELL."

"The right hon. J. Abercromby.

"Fenton's Hotel, Jan. 29, 1835.

"My dear Lord John,—My earnest desire to decline the honour of being proposed as a candidate for the chair, on the meeting of the new Parliament, has been so often and so strongly expressed to you and to others, that I was in hopes that it would have been acquiesced in.

"However painful it would have been to me to maintain my own opinion in opposition to that of so many of my friends, I should have adhered to it, if the approaching contest had involved only a question of personal preference; as I am now aware that the governing motive of those who wish me to alter my decision is a desire to vindicate a public principle, which they think it is their duty as members of the House of Commons to maintain, I feel that the indulgence of my own wishes would subject me to the charge of obstinacy, or of selfishness; and therefore, if the choice should fall on me, I shall be ready to perform the duties of the office to the best of my ability.

"I remain yours very truly and faithfully,
J. ABERCROMBY.

"The right hon. Lord John Russell."

Wales, and of suggesting a plan of church reform. The commission consisted of the archbishops of Canterbury and York, the bishops of London, Lincoln, and Gloucester, Sir Robert Peel, Mr. Goulburn, the right hon. C. W. W. Wynn, Henry Hobhouse, and Sir H. Jenner, Knt. The objects proposed for their consideration were—the more equal distribution of episcopal duties ; the residence of the clergy ; and such an adjustment of episcopal revenues as should permit the discontinuance of grants of commendams. They were also instructed to consider the state of the several cathedral and collegiate churches, with a

view to the suggestion of such measures as might render them more conducive to the efficiency of the established church, by providing for the cure of souls, and by preventing pluralism. A rich prebendal stall at Westminster having become vacant, it was not filled up, but left to be disposed of by the commission. Its revenues were applied for the purpose of furnishing additional spiritual instruction and superintendence in a neighbouring parish, where the existing provision for clerical functions was altogether inadequate to the number of the parishioners.

CHAP. II.

Meeting of Parliament—Debate on the Election of the Speaker—Speeches of Lord Francis Egerton—Mr. Dennison—Sir Charles Manners Sutton—Mr. Abercromby—Lord Stanley—Lord John Russell—Sir Robert Peel—Mr. Abercromby chosen by a majority of ten—Sir Charles Sutton raised to the Peerage.

THE Houses met on the 19th of February, when the royal commissioners appointed for that purpose informed them that his majesty would open the session in person so soon as a sufficient number of members should have been sworn in, and directed the House of Commons to proceed forthwith to the election of a speaker. The attendance in the House of Commons was more numerous than had ever been witnessed, not only on the first day of a session, but on the discussion of any great political or party question. More members were in the House than even the anxiety of party spirit had expected, and this circumstance somewhat disturbed the calculations which had been formed. Lord Francis Egerton, one of the representatives of the county of Lancaster, moved that Sir Charles Manners Sutton should be called to the chair. He referred to the circumstances of the country, and the discussions of vital importance to every interest in the state on which the House was about to enter, as showing the necessity of looking narrowly to the qualifications of the individual to

whom they would have to resort for guidance and advice, for the maintenance of their privileges and constitutional independence, and for a due control over the fervour and excitement of political debate. He alluded to the destruction of the two Houses, and the loss of documents and records which that catastrophe had occasioned, and thought the House could not but acknowledge that their best hopes of substitution and repair would be founded on the unequalled acquaintance of the late speaker with the rules, forms, and usages of the Commons. For eighteen years, and in seven successive parliaments, he had filled the chair, and had so filled it as to have secured the unanimous approbation of the assembly over which he presided. Where party feeling was strong, an individual might be elected, not because he was most competent to discharge the duties of his station, but because he was supported by the good will and partiality of those who lent him their voices from party motives; but in the case of Sir Charles Sutton, his unrivalled qualifications for the office had

been proclaimed and acknowledged by his political opponents no less loudly than by those who agreed with him on political questions. His Lordship then referred to the high eulogiums pronounced on Sir Charles by all the leading members of the new opposition,—when they themselves proposed him for the chair in 1833, in the first reformed parliament, and proposed him simply because his qualifications were so pre-eminent as to render him infinitely more worthy of the office than any other member; and he reminded the House that these were not the testimonies of partial friends, but of honourable adversaries; they were not the eager opinions of advocates, but the calm decisions of jurors. All these opinions, however, it was understood, were now to be trampled under foot, and the very men who, two years before, had unanimously agreed that Sir Charles was the only proper person to be speaker, were now to maintain, when his experience had increased, that he was utterly disqualified. At the same time, he did not expect to hear him opposed on the ground of any of those notoriously absurd charges which had been thrown before the public during the last two or three months—that red-letter circulars of the privy council would be construed into high treason—or an indictment framed on the authority of the mirror of fashion. If what had been published elsewhere were correct, the opposition was to be founded on what was called a great public principle. But Lord John Russell, who seemed to have acted as leader in support of it, whether self-elected to that dignity, or borne upon the bucklers of a tumultuary host who, though

angry antagonists before, had united in one common band to reinstate him in office, had left this great public principle involved in such cimmerian darkness, that there was no coming at its real, or even its intended meaning. The only public principle discoverable in this proceeding was that which had been displayed on election banners, and shouted on the hustings—the principle of condemnation without trial. If this was the principle which was to flash conviction upon the doubtful, to fix the waverer, and again to unite that phalanx which had been almost disbanded by various accidents of secession and other causes, he trusted that those who supported it would set themselves to the task of convincing the House of its justice without violating their own consistency, and of showing that it differed from the principle to which, at the last election of a speaker they had been so strongly opposed,—viz., the principle of preferring political considerations to those of fitness from talents, ability, and experience.

The motion was seconded by Sir C. Burrell, who said that though he had supported Mr. Wynn as a candidate for the chair in 1817, in opposition to the late speaker, he had never since found reason to regret his want of success on that occasion; for the choice, which the House then made, had been fully justified by the ability, efficiency, and impartiality of Sir Charles Sutton, which had produced an universal conviction of his superior fitness for the office over every other member in the House.

Mr. Dennison, one of the members for Surrey, proposed that Mr. Abercromby should take the chair,

and the motion was seconded by Mr. Orde. Both of these gentlemen expressed the pain which they felt at being compelled by an imperative sense of public duty to oppose the re-election of the late speaker, and declared their sincere concurrence in everything that had been said regarding his excellent qualifications; but they maintained that a great public principle rendered it necessary that those qualifications should be disregarded. The majority of the present parliament, they believed, were steadily attached to the principles of reform, and it was incumbent on the House to place in the chair a person assimilated in principle and opinion with the body over which he presided. Looking at the important discussions which must necessarily arise, involving, among other things, the dismissal of the late administration, and the unprecedented assumption of all power, for three weeks, by one individual, it was necessary to have for speaker a gentleman, who, while acting with dignity and impartiality, would still have a bias to the opinions of the majority. A difference of opinion, too, might arise between them and the other House of Parliament; and in such an emergency, it would be requisite to have in the chair a person who was in principle a reformer, and whose sentiments were completely identified with the reform bill. These qualifications would be found in Mr. Abercromby, distinguished by the uniform consistency of his political character, extensive information, profound legal knowledge, long parliamentary experience, and habits of business, — combining the coolest temper with the clearest head, and attached, as he had proved

himself to be, through many trying and important contests, to the rights and liberties of the people, and to the great principles of the reform bill. It was true, that the first reformed parliament had elected Sir Charles Sutton to be its speaker, and his election had been proposed by the reforming government; but the present circumstances were totally different from those which had existed two years ago. It was not surprising that the ministers of the day, with the overwhelming majority of sincere reformers of which they knew the House to be then composed, should have availed themselves of the experience of the late speaker, notwithstanding their knowledge of his political opinions, to conduct the proceedings of the first parliament which assembled under the reform act. The election of speaker was not taken then, as it was taken now, as any test of the strength of political opinion, or as indicative of what the decision of the House would be on far more important topics. If the House, by their very first vote, should give a proof of confidence in his majesty's new advisers, by placing in the chair a member who thought with those advisers, and not with the majority of the House, they would greatly and bitterly disappoint the just expectations of the country.

Sir Charles Manners Sutton assured the House that he did not rise to state his own qualifications for the office, for he was so circumstanced that the House and the public must form their own judgment on the manner in which he had discharged its duties; and much less did he rise to disparage the qualifications of the gentleman who had been proposed against

him, but simply to meet the imputations to which, for some time past, he had been so lavishly subjected. Those charges affected his honesty and integrity, as one whose highest pride it ever had been, and ever would be, to have been for eighteen years the servant of the House; and he had considered it most respectful to the House, as it certainly was most consonant to his own feelings, to submit to them patiently till he could answer them in his proper place—on the floor of the House itself. The charges against him, when stripped of all circumlocution, were substantially these: That, being speaker, he had busied himself in the subversion of the late government; that he had next assisted with others in the formation of the new government; and that he had, last of all, counselled and advised the dissolution of the late parliament. Now, in all those charges collectively, and in each of them individually, there was not one word of truth from the beginning to the end. With regard to the first charge, that of having intrigued for the overthrow of the late government, Sir Charles stated, that on the close of the session he had gone down with his family to Brighton, the court being at Windsor; that he was recalled from Brighton by the destruction of the two Houses of Parliament by the fire, which had likewise consumed his own private residence; that the same event had brought the king to London; that, between this time and the dissolution of the ministry, he had been in communication with the king, but these communications had reference only to what the fire had rendered necessary to be done for the future accommodation of par-

liament. Lord Melbourne, and other members of the government, were concerned in them all; and on one occasion when he attended the king at Windsor by the king's commands, and had a long audience of his majesty, he requested and obtained the king's commands to communicate everything which had passed at it to Lord Melbourne. He did not request permission to state to parliament what had passed at that audience; but if any one entertained doubts, he begged to refer them to Lord Melbourne. On these interviews seemed to have been raised the charge that he had been intriguing for the overthrow of the late government. Upon such a point it was impossible for any man to speak but upon the sanction of his own personal honour; and under that sanction he now declared that he had no anticipation of such an event. The first information he received of it was from one of the morning papers. He had heard nothing, he knew nothing of it before.

The next accusation circulated against him had been, that he busied himself in the formation of the present government, and the overt act to prove this was, that he had attended a meeting of the privy council. So he did, but in what circumstances? On the Monday after the dissolution of the late Ministry, he received his majesty's commands to attend him at St. James's. There he saw many members of the late government. They had audiences, he had none. After the audiences a message came out to all those in the outer room who were privy councillors, to go in and sit in privy council, and he went in with the others. He had first received

a summons to attend a privy council in the form of a printed summons, and those who were privy councillors knew well that such a printed notice never stated the subject for deliberation. Meetings so called differed from deliberate councils in this, that in the former mere matters of form alone were transacted. Under the peculiar circumstances in which he stood, it might, perhaps, be excusable in him to state what occurred on this occasion, but he did not feel it would be consistent with the obligation of a privy councillor to do so. Many of the members opposite were privy councillors, and the council books were open for their inspection. He would satisfy himself with saying, that at no privy council which he had attended had any business been done but of the most formal description. Neither had he been consulted by the new minister. The day after the return of Sir R. Peel, he notified to Sir Charles a wish to see him, and the visit was paid; but excepting that visit, and of another which he paid to Sir Robert, for the purpose of getting his sanction and signature as chancellor of the exchequer to the payment at the bank of the salaries of the clerks of the house, it so happened that he had never been within Sir Robert Peel's door from the time the latter assumed the government. Yet it had been stated and circulated that he had been in constant communication with this one and that one—that he had been at the Home Office day after day with the Duke of Wellington before Sir Robert Peel's return, and with the latter, week after week, subsequently—statements immaterial even if they had been well founded, but in which

there was not a single syllable of truth. He was aware, in common with the public, of the appointment of Sir Robert Peel, the lord chancellor, and the Duke of Wellington: but he had never advised nor suggested; he had never been in any way consulted; and he never knew of the appointment of any individual till after it had taken place.

Lastly, he had been accused of having counselled the dissolution of the late parliament, and the overt act here was, that he was present at the privy council which resolved on the dissolution. Now he was not present at that privy council. He was not even summoned to it; he never advised, counselled, or was consulted, about the dissolution; so little did he know of the steps which had been taken on the subject, that owing to an accident, arising from the indisposition of a person in his own house, he did not know of the fact until it was announced in the Gazette. It came to his knowledge too late to save that night's post, in consequence of which he was put to much inconvenience. If he had been so confident of an approaching dissolution, why had he not taken those steps prospectively which others took to secure their re-election? But in point of fact, he had no communication on the subject with any of his constituents, till he had ceased to be speaker. In short, he would repeat, that in respect to his having had any communication with any human being at any time, or upon any occasion, in reference to the dispersion of the last government, or any interference at all in any appointment, or anything to do in the way of advising, suggesting, or counselling the dissolution of

the late parliament, he would say, as to each and all of those charges, with the greatest solemnity, and the strongest sanction that could be given to his assertion on the credit and honour of a gentleman, they were from the beginning to the end false. He had had the honour of being the servant of the House for a long period; there was no disgrace which he should feel so much as its being the impression of the House that he had discredited them; and with respect to the question, as to who would be the fittest person to place in the chair, he was sure that the House would concur with him when he said, that the election of his opponent, or his own re-election were as nothing, compared with the vindication of public character. No man could rate the talents of Mr. Abercromby higher than he did, and he should not feel it any disparagement to be considered second to him. He hoped that, with the termination of this debate, whatever the result might be, would terminate all angry and acrimonious feelings. He expressed that wish for the sake of the decency of their proceedings, and he expressed it, too, because the House would give him some right of judging upon such a point; and speaking from long experience he would say, that unless it was so, it would be impossible for any speaker, be he whom he might, to discharge his duties usefully, acceptably to the house, or satisfactorily to himself.

Sir Charles was followed by Mr. Abercromby, who said, in allusion to the late speaker's triumphant refutation of the falsehoods which had been used to extort from candidates at the hustings pledges against his re-election,

that it must be known to all that the contest had been carried on, out of the House, in a spirit very different from that in which he was sure it would be conducted within the House. He, too, had been attacked, but he would not defend himself now against what might have been said of him elsewhere. If he had consulted his own feelings and inclinations, he would have abstained from placing himself in opposition to a speaker who had so long filled the chair. He had yielded his own conviction and opinion only to the judgment of others in whom he confided. He stood forward at their suggestion, and not from any desire of his own. He had always considered that, in the election of a speaker, reference should be made to the past course and conduct of the individual seeking such an office. The comparative fitness of his opponent and himself he would leave to be decided by the judgment of those who were much more competent judges than he was; but he was fully ready to submit to the opinion of the House his past public life and political course. He had always entertained and avowed decided opinions on those great questions which had of late received the support of the majority of that House. Since he had had a seat in that House, he had adhered to those opinions; and whether they were right or wrong, he might be permitted to say, that he had adopted them conscientiously. But he who filled the chair of that House must keep his feeling and opinions to himself, and decide solely upon his sense of public duty. Acting under the eye of the House, if that consideration would not be sufficient to ensure complete impartiality on

the part of the individual filling the chair, it, at all events, was the strongest and most powerful security that could be afforded.

Lord Stanley, after referring to the unanimity with which his colleagues in Lord Grey's administration had declared that no difference of political opinion could counterbalance the inestimable advantage of having Sir Charles Sutton in the chair, said, he had expected that disclosures would be made regarding that gentleman's conduct in the performance of his duties, which would call upon the House, not merely as a matter of honour, but as an act of justice, to dismiss him as a convicted intriguer. The proposer, however, of Mr. Abercromby had uttered no charge; nay, he had admitted that personally the late speaker stood as high as ever in the opinion of the country, but had nevertheless maintained that he must be sacrificed to "a great public principle." The seconder equally disclaimed all intention to make any charge; Sir Charles Sutton himself, feeling that he must place himself beyond the reach not merely of conviction, but of suspicion, had met the charges so long and so perseveringly urged against him in the public prints, fairly, manfully, and unanswerably. But still came back that great public principle which was said to be of such paramount importance, on the present occasion at least, that all considerations of fitness and qualification must give way before it. This principle seemed to be, that the person filling the office of speaker should be known to entertain opinions in conformity with those of the majority of that House. Was that a new proposition? Was it not

advocated by a certain portion of those members who supported Lord Grey's administration in 1833, and was it not then met by the administration with the declaration, that it was not a principle which should determine the appointment of a speaker? What had happened since 1833 to induce them to alter their conduct? It was said, indeed, that 1833 was the case of an ordinary election, when there was no important question on which there had been an appeal to the country, and with regard to which a mistake might arise from their choice of a speaker. But what would the House say to May, 1831, when an appeal was made to the country involving the whole principle of the Reform Bill—nay, the very existence of it—when the question was, whether the country and the parliament would have reform or not? Was there ever an occasion where a great public principle stood more boldly forward as the basis and groundwork of a dissolution than in that instance? Yet the first act in that parliament of a reform administration, in the very agony and struggle of the Reform Bill, was to propose to the House, and the House unanimously to elect as speaker, one whose political principles were opposed to their own. They were told that it was essential that the crown should not be under a delusion as to the sentiments of the House, and that no such mistake could be entertained in 1831 or 1833, because on both those occasions the ministers, wielding the whole power of the government, might safely, on such a subject, sacrifice principle to expediency. But if a great public principle were involved in the question, no expediency, nothing on earth,

should have induced the government to act as they did. In truth, the great public principle seemed to be, that this question, though not a test of principle, might be made a very good test of the strength of parties; for in what consisted the change of circumstances, by which the supporters of the late speaker in 1833 were his antagonists in 1835? It consisted in this: "We were in office in 1833; we are not in office now." The only difference that had been pointed out between the cases of 1833 and 1835 was, that, in the first instance, the speaker was proposed by the government, wielding all the power and control of the government, and with a large majority at its back, but that in the present instance the majority might be less, and that they should take an opportunity to signify to the crown that they had no confidence in the present administration. Now, if this was what they meant, he would say, that an act of grosser injustice, an act savouring more of resentment than of justice, never could be perpetrated, than to take the decision of that point, upon a question materially affecting the honour and character of an individual. If it was the intention to try the strength of parties, let the question be manfully brought to issue upon an address for the removal of the administration. He would say to them, do not injure and damage character — do not commit such an injustice — and he would appeal to the honour and candour of the House, whether it was not an injustice to remove a speaker against whom they had not only admitted that there was no personal charge, but whom they had acknowledged to be pre-eminently qualified for the situation,

merely for the purpose of testing the strength of parties? Again, they were told that by the election of speaker they were to judge what were the principles, political opinions, expectations, and views of the House. But if the opinions of the successful candidate were to be assumed to be those of the majority of the House, he would ask those who intended to support Mr. Abercromby, whether they were prepared to declare that his principles were theirs, and that by his public declarations they would be bound? If the matter were so put, that to vote for Mr. Abercromby was to coincide with him in political opinion, he would at once say, that he widely differed from him, and on that ground alone he might rest his objection to raising him to the chair. The member for Edinburgh was understood to support the principle of triennial parliaments, or, at least of materially shortening the duration of parliaments, and he was inclined to support vote by ballot. On both of these points he was opposed to that gentleman, and had conclusively made up his mind against the voluntary principle as opposed to a church establishment. Here were three points of fair but decided political differences on most important public questions; and, in conformity with the principles of those who said they were bound to support a candidate of their own political views, he was not bound to vote for one from whom he widely differed. Or if this principle for supporting a candidate was disclaimed, what became of the alleged necessity of electing the member for Edinburgh as a proof of the preponderance of reform principles, and as a test of the competency of the present House

of Commons to carry those principles into effect? Members either were, or they were not, about to support a candidate on the ground of agreement with him in political principle. If they were bound to do so, then he candidly declared he did not agree with the member for Edinburgh, and could not support him. If, again, they were not bound to vote on political grounds in the election of a speaker, then they indicated no political opinion by their choice, and the country had not the boasted test of parliamentary competency for reform arising out of the election of a speaker. He would leave it to those who intended to vote for Mr. Abercromby to state on which of these two grounds they chose to proceed; but on one or other of them they must vote. He did not agree with either of the candidates in political principle; but acting on the declarations which he had before made, and in perfect consistency with all the political opinions which he had ever entertained and expressed, he was bound to say in justice, candour, and honour, that no case had been made out to induce the House on the present occasion to withdraw that support which it had hitherto cheerfully given to the gentleman who for so many years had filled the chair.

Lord John Russell, who, having assumed the station of a leader in getting up the opposition to the late speaker, was bound to discharge its duties in defending what he had proposed, maintained, that it was a fallacy to suppose that Sir Charles Sutton would be disgraced, if he were not re-elected, and argued that the argument of Lord Stanley went to deprive the House of Commons of one of its

choicest privileges. According to that doctrine, nothing more would be required in future to decide an election than that a late speaker should get some anonymous journalist to accuse him of base and dishonourable conduct in counselling the dissolution of parliament, and intriguing for the dismissal of ministers; and that the party accused should come down to the House and protest on his honour, which could not be doubted, that he was innocent. Immediately upon this the option of the House of Commons was at an end, if it was true that they were bound to replace the unjustly accused in the chair, under the penalty of fixing upon him, if they refused to do so, the character of a dishonourable and convicted intriguer. But the House had not met to listen to a criminal accusation against the late speaker, to pass a vote of censure, or to furnish matter for an impeachment; they were there to exercise one of the most important privileges incident to the House of Commons—to choose a servant and organ, to select a gentleman to preside over their debates; and in performing this act they were not to be deterred from its due execution by taunts of fixing an unfair and dishonourable character on one of the candidates by refusing to elect him. Whatever might now happen, it was not without precedent, not only in ancient, but in comparatively modern times. When the House did not approve of the conduct of a speaker, it had placed another in the chair. In the time of Lord North, Sir Fletcher Norton being then speaker, he let fall some expressions displeasing to that minister, who, having a majority of the Commons with him, was deter-

mined to have a speaker of the same mind. Lord North therefore proposed another gentleman for the chair, making some complimentary speech, to the effect that Sir Fletcher Norton was too old a servant of the House and ought to be relieved from his duties; and he carried his motion. But could it be pretended that the character of Sir Fletcher Norton was disgraced to all eternity, because the House did not re-elect him to the chair? It would be no attack on the character of Sir Charles Manners Sutton, if the House refused to elect him on this occasion; but indelible disgrace would be fixed upon the House, if it were determined that they had no choice but again to elect him. In regard to the imputations themselves to which the late speaker had been exposed, Lord John Russell admitted that the accusation of his having been engaged in any intrigue to overturn the late ministry was a fiction. He was ready to declare, both of him and of the Duke of Wellington, and of Sir Robert Peel, his entire belief that there existed no ground or foundation for the charge. With respect to the other charges, the late speaker had admitted that he attended privy councils at the time the late ministry was dismissed, and when the Duke of Wellington was first lord of the treasury, and held the seals of three secretaries of state. He attended several privy councils before the return of Sir Robert Peel to this country. Recently the practice had been to call to the privy council members of the cabinet, and no others were summoned. There was no peculiar summons from his majesty in such cases; the thing was done by order of the prime minister,

who summoned those to attend on whom he relied, as holding political opinions in unison with his own; and at the period in question the Duke of Wellington was prime minister. If Sir Charles Sutton had intimated the slightest opinion that he thought such a proceeding inconsistent with his public character, he would have been at once excused. The number of privy councillors amounted in all to 200 and upwards, and it therefore could not be necessary that the speaker of the House of Commons should appear there against the known opinion—against what would have been the declared opinions of that House of Commons. He did not impute to him that he had done wrong intentionally in attending not only the first, but several privy councils; yet, as he had been chosen speaker by a House of Commons decidedly adverse to those who had just accepted office, his name ought not to have been mixed up with the transaction: such conduct was not that which best became the dignity and impartiality of his official character. All this, however, involved no question of dishonour; and should he be rejected on this occasion, there would be no degradation—nothing to cause him to retire from the chair with painful or mortified feelings. There had been nothing dishonourable in his course; his political bias had got the better of him, and had induced him to concur in acts which, as speaker of the House of Commons, he should have avoided—and this was a fair ground for objecting to his re-election.

His lordship admitted that he had borne a willing part, as a member of the reforming ministry of 1833, in raising the late

speaker to the chair. He had done so, he said, because he felt exceedingly solicitous and perhaps somewhat diffident, as to the character of the reformed House of Commons. He felt no doubt, that, in point of intelligence, honesty, and public virtue, it was far superior to any other House that had ever sat; but he did not feel sure, that, having a number of new members who had not turned their attention to parliamentary forms, there might not be some deficiency in that respect, which would render the House the subject of undeserved obloquy. On that ground he departed from the general rule, that the speaker should be the organ and representative of the House, for the purpose of securing the advantage of the late speaker's experience; and if nothing of a particular nature had occurred since, perhaps that gentleman might have been again proposed for the chair without much objection; but considering what had happened, and taking into account all the circumstances of the case, he thought there no longer remained any room to doubt as to the course which the House ought to take. The principle which the ancient practice and doctrine of the House sanctioned, and which it was especially necessary to vindicate at the present moment, was, that the chair should be filled by a man zealous in behalf of the liberties of the people, to be the organ of that House with the crown, and to represent their feelings firmly, without fear of offending or a wish to conciliate those who might have the power of dispensing favours. It no doubt was the prerogative of the crown to dismiss and appoint ministers, and to dissolve parliaments; but the people also

possessed their privileges, and if the sword of prerogative were drawn, it became necessary to have in readiness the shield and buckler of popular privilege; and he knew no privilege more sacred, or less to be infringed, than the right of the House to place its representative in the chair. Members had been sent there, not because the electors liked their manners, but because they agreed with them in political sentiment, and because they thought their representatives would reform abuses. Let all who wished to see the reform of abuses, have a speaker to aid as an organ in those reforms. Let them give the country an earnest that they meant to set zealously about real reform—that they were not going to cheat and deceive the people by mock reform; and that, while with undoubted loyalty to the throne they respected the prerogatives of the king, they were determined to maintain the privileges of the people.

Sir Robert Peel began by bearing testimony to the fact, that Sir Charles Sutton had been in no way connected with the formation of the new government. On undertaking the duty of forming a ministry, he had asked Sir Charles whether he would find it consistent with his principles, feelings, and sense of duty, to take office? He answered, that he did not seek employment in an official capacity in the service of the crown, and his reason was this: "I have served in the chair for a period of eighteen years, and I do think that, if I were now to enter into the arena of discussion (after so long a service in the chair, and my personal connexion with the authority of that situation), I should run the risk of lowering it,

if I appeared on the floor of the House of Commons as a member of the government." After this answer, he did not feel it his duty to consult the late speaker, either as to the formation of the government, or the policy to be pursued. Not one word on those subjects passed between them. He had then asked Sir Charles, whether, in the event of a dissolution of parliament, he had any wish to be re-elected to fill the chair? The reply was, that he had no wish or feeling on the subject; that it was a matter in which he had no personal interest, inasmuch as by the liberality of the House he was already amply provided for; that the impediment on the ground of ill health, which had led him to meditate retirement on a former occasion, no longer existed; and that if it was thought that his services would be of any value to the public, as long as his health would permit, he should feel it his duty not to withhold them. He expressed no opinion on the subject, and least of all any wish that he should resume the office, if there should be any indisposition on the part of the House to receive him. The question now was, whether, since the former speaker had professed his willingness to serve, it was right and fitting that they should elect another? Nobody contested the position that the House had a right to choose whom they pleased; but this right was a trust for the public good, and ought to be exercised with discretion. It did not become them to insist on the barren and abstract right, but to consider the greater point, viz. how it could be exercised with justice, and with advantage to the public. Lord John Russell had searched

for authority to be set against the example of Earl Grey and the first reformed parliament, but had found none, except the conduct of Lord North towards Sir Fletcher Norton. A worthy precedent truly! Did that case proceed upon any intelligible principle? Was not the argument employed then something like that used upon the present occasion — namely, "You have given us offence upon one ground, or we wish to gain an advantage upon one ground, but we will assign another for depriving you of the means of rendering further service to the House of Commons?" The ground of Lord North's objection to Sir F. Norton was a speech delivered by the latter at the bar of the House of Lords. Did Lord North assign that as his reason for displacing him? No. His reason was pretended solicitude for the health of Sir Fletcher Norton. Thus it was evident, that Lord North was so convinced, that whatever might be the abstract right of the House, they would, by exercising it, inflict injustice upon Sir F. Norton, that he carefully avoided stating in the face of the House his real reason for wishing to get rid of him. Without doubting the right of the House to refuse to re-appoint the late Speaker, the question was whether it was fair and just, not towards the individual alone, but towards the office, to do so? Was the House called upon by a sense of fitness or justice to choose any other person in the place of him who had received his appointment by the almost unanimous sanction of six parliaments—who had served the House of Commons for eighteen years—against whom every charge had been abandoned—and who was willing, without the

possibility of his being actuated by any motive of personal interest, to continue in the performance of its duties? Would the House allow their late speaker to suffer by six weeks of uncontradicted calumnies against him, uncontradicted by himself or by his authority until that day, and which calumnies, and not a sense of his unfitness for the office, had raised a feeling against him amongst the constituents of some hon. members? Every insinuation had been given up, except that the late speaker attended certain privy councils, which some persons seemed to think might have been instrumental in the formation of the present government. Every other charge but that had been abandoned. All the testimony which had been borne to the speaker's impartiality, ability, and experience remained in full force. Now, what was the amount of this charge? If the House thought that the speaker ought not to be a privy councillor, let it declare so; but if he be one, why should he be blamed for performing the duties of the office? An erroneous opinion was entertained by a part of the public that the meetings of the privy council which had been referred to were deliberative assemblies. It was also a great mistake to say, that they were attended only by members of the cabinet. Any members of the council not members of the cabinet might attend, and they frequently did so. Their duty was merely ministerial, and they offered not a word of advice to the sovereign. The charge respecting the late speaker of attending councils was as nothing compared with his solemn disclaimer that he had been directly or indirectly a party

to the dismissal of the late government, the formation of the present one, or the dissolution of Parliament. These were the calumnies that formed the ground taken up by the public press, and the ground on which constituents had advised their representatives to vote against the late speaker's re-election. He implored members to reflect, that if their impressions rested originally on erroneous grounds, they were bound in manliness to refuse to vote upon those grounds. They might oppose the re-election of Sir Charles Sutton upon public principle, if they thought it applicable to the case; but if either they or their constituents originally formed the determination of opposing him upon the erroneous grounds which he had adverted to, he had sufficient confidence in their manliness and honour to believe that they would not act upon that determination. Then as to public principle, some had put it in this way, that the speaker ought to represent the opinion of the majority of the House. Was that a good principle to establish? Was it wise to hold out a temptation to the speaker to seek favour with the majority of the House? If the speaker performed his duty with integrity and impartiality in the chair, was it not wiser to regard only that part of his conduct which came before the House—to look merely to his qualifications for the office—instead of asking whether his political opinions were in accordance with those of the majority of the House? This question had been decided by the first reformed Parliament. If it were fitting that the speaker's opinion should follow those of the majority of the House, why on that occasion was not that prin-

ciple acted upon, when the party sitting opposite had the power to carry it into effect? Could there be a more conclusive proof than was at that time afforded by the conduct of that party, that the House was not really called upon to elect a speaker whose opinions were in conformity with those of a majority? Lord John Russell, it now appeared, had concurred in that election—because he wished to take advantage of having a Speaker of ability, experience, and judgement—because, in short, he wanted to protect the character of the reformed Parliament. Well, Sir Charles Sutton had done the work required of him; he had rescued the reformed Parliament from the disgrace of being lowered in public opinion; and the grateful return tendered to him was, that the very party, who had called him to their aid, wished to disgrace him in the eyes of men. Disgrace him! did he say? He was wrong. The man, who had acted conscientiously in the discharge of a public duty, was beyond the reach of a majority; but not so the character of the speaker's office, and of the House of Commons. Another view was that which had been taken by the proposer of Mr. Abercromby, who insisted on the importance of electing, on the present occasion, an "impartial" speaker, on account of the many keen party discussions which would inevitably arise, including the dissolution of the former ministry. And whom did he propose?—a distinguished member of that very government, the removal of which was to be one of the questions to be tried under the direction of this impartial speaker! If impartiality in the speaker was so desirable,

let not the house select a gentleman to fill that office, who was a party concerned in one of the most important discussions about to occupy the attention of the House. There were two candidates for the speakership—one, the late speaker, who had served the House during eighteen years, and been elected by seven Parliaments; who had declined to accept office under the crown, because he thought it would have a tendency to lower the authority of the chair;—the other a member of the late government, with respect to whom not a word of disrespect should fall from his lips, but whose impartiality the House had no means of judging of. Could they doubt to which they should give the preference. If the majority of the House felt a want of confidence in the government, let them declare it in the usual way. That would be a natural and fair course; but let them not do injustice to any one, by selecting an individual as the victim who was first to fall, in order to signify the approach of the grand attack. The office of speaker, was one which ought not to be made the subject of party feeling. The precincts of the chair ought not to be converted into ground on which political battles might be fought.

Mr. Cobbett said, that his constituents had voted an address to the king, thanking him for having dismissed his late ministers, and he, therefore, was determined to do nothing which might have a tendency to force these ministers back upon the king. Lord Dudley Stuart stated that, on this occasion, he must separate from his political friends, and vote for Sir Charles Sutton. Now that all the accusations made against that gen-

tleman had been completely answered, he could not reconcile it with his sense of duty to reject a candidate who, for eighteen years had so filled the chair, as to compel men of every shade of political opinion to concur in saying, that he was the best speaker that could possibly be selected. Mr. G. Robinson, too, said that, though the loss of his seat might be the consequence of his vote, he was determined to take that path which honour, and a due regard to character pointed out, rather than court a little temporary popularity, by pursuing an opposite course. The rejection of the late speaker would be an act of great injustice, and the infliction of unmerited obloquy on a public servant, who had occupied the chair of the House of Commons irreproachably, according to the concurrent opinion of men of all parties. The question was, and it ought to be so considered by every honourable man, whether the House would reject an old and tried servant, and elect another person in preference to him. They had been told that, under existing circumstances, the election of speaker was mixed up with the question of reform. Now, he put it to reformers, whether they did not possess the power, if, as they had been told, they really constituted a majority of the House, of turning the present ministers out of office, if the measures of the government, when proposed, should prove to be unsatisfactory to the country?

On the division, Mr. Abercromby was elected by a majority of ten votes. There were 626 members in the house, including the four tellers. Exclusive of the tellers, 316 voted for Mr. Abercromby, and 306 for Sir Charles Manners

Sutton. This majority, trifling as it was, was the first fruits of the treaty of alliance between the opposition and O'Connell, and, by its very smallness, it insured the triumph of the latter by demonstrating to that opposition that, without his aid, it could never hope to become the government. Without the Irish members who followed in O'Connell's train, all the efforts of the opposition to carry the election would have been unavailing. The English members divided, 247 for Sir Charles Manners Sutton, and 224 for Mr. Abercromby; the former having eighty-eight county members, and the latter only fifty-three. Of the Scotch members present, thirty-one voted for their countryman, and eighteen for the late speaker; still leaving to the latter a majority of ten on the whole representation of Great Britain. But then came the Irish members, furnishing to Mr. Abercromby sixty-one votes, and to Sir Charles Manners Sutton only forty-one, which brought out the majority of ten in favor of the former. The two candidates voted for each other; and on either side votes were given, or members abstained from voting, from considerations of personal friendship in a matter which they thought neither was, nor ought to be, a contest between political parties. On the one hand, Sir Charles Sutton obtained the votes of some who would rather have seen Lord Melbourne in power than replaced by Sir R. Peel; on the other, Mr. Abercromby received the suffrages of many who would not have joined in a direct address to the crown to remove the ministry.

On the following day, the new speaker was presented to, and ap-

proved of by, the lords commissioners in the name of his majesty, and, in usual form, claimed the free exercise of all the ancient rights and privileges of the Commons. Sir Charles Sutton was immediately called to the House of Peers, by the title of viscount Canterbury; and no citizen in the career of civil life, had ever better earned that reward by a

long course of important, faithful, and acknowledged public services. As his pension had been fixed, when he was about to retire from the chair, after the passing of the reform act, the House which rejected him had no occasion to enter on any question of pecuniary remuneration.

CHAP. III.

Opening of the Session—King's Speech—Address in the House of Lords, carried without a division—Formation and Policy of the New Government, attacked by Lord Melbourne and Lord Brougham, and defended by the Duke of Wellington and Lord Lyndhurst—Declarations of the Earl of Ripon and Duke of Richmond—Amendment moved to the Address in the House of Commons—Nature and object of the Amendment—Speeches of Lord Morpeth—Mr. Pemberton—Speech of Sir Robert Peel.

ON the 24th of February, the intervening days from the election of the speaker having been employed in swearing in members of the House of Commons, the Session was opened by the king in person. His majesty delivered the following speech from the throne :

“ *My Lords and Gentlemen,*

“ I avail myself of the earliest opportunity of meeting you in Parliament after having recurred to the sense of my people.

“ You will, I am confident, fully participate in the regret which I feel at the destruction, by accidental fire, of that part of the ancient Palace of Westminster, which has been long appropriated to the use of the two Houses of Parliament. Upon the occurrence of this calamity, I gave immediate directions that the best provision, of which the circumstances of the case would admit, should be made for your present meeting; and it will be my wish to adopt such plans for the permanent accommodation of the two Houses of Parliament, as shall be deemed, in your joint consideration, to be the most fitting and convenient.

“ I will give directions that there be laid before you the Report made to me by the Privy Council in reference to the origin of the fire, and the evidence upon which it was founded.

“ The assurances which I receive from my Allies, and, generally, from all Foreign Princes and States, of their earnest desire to cultivate the relations of amity, and to maintain with me the most friendly understanding, justify, on my part, the confident expectation of the continuance of the blessings of peace.

“ The single exception to the general tranquillity of Europe, is the civil contest which still prevails in some of the northern provinces of Spain.

“ I will give directions that there be laid before you articles which I have concluded with my allies the King of the French, the Queen of Spain, and the Queen of Portugal, which are supplementary to the Treaty of April 1834, and are intended to facilitate the complete attainment of the objects contemplated by that Treaty.

“ I have to repeat the expression of my regret that the relations between Holland and Belgium still remain unsettled.

“ *Gentlemen of the House of Commons.*

“ I have directed the Estimates for the ensuing year to be prepared, and to be laid before you without delay.

“ They have been formed with the strictest attention to economy, and I have the satisfaction of acquainting you, that the total amount of the demands for the public service will be less on the present than on any former occasion within our recent experience.

“ The satisfactory state of the trade and commerce of the country, and of the public revenue, fully justifies the expectation that, notwithstanding the reductions in taxation, which were made in the last session, and which, when they shall have taken full effect, will tend to diminish the existing surplus of the public revenue, there will remain a sufficient balance to meet the additional annual charge which will arise from providing the compensation granted by Parliament on account of the abolition of slavery throughout the British dominions.

“ I deeply lament that the agricultural interest continues in a state of great depression.

“ I recommend to your consideration whether it may not be in your power, after providing for the exigencies of the public service, and consistently with the steadfast maintenance of the public credit, to devise a method for mitigating the pressure of those local charges which bear heavily on the owners and occupiers of land, and for distributing the burden of them more equally over other descriptions of property.

“ *My Lords and Gentlemen,*

“ The information received from the Governors of my Colonies, together with the acts passed, in execution of the law for the abolition of slavery, will be communicated to you. It is with much satisfaction that I have observed the general concurrence of the Colonial Legislatures in giving effect to this important measure; and, notwithstanding the difficulties with which the subject is necessarily attended, I have seen no reason to abate my earnest hopes of a favourable issue. Under all circumstances you may be assured of my anxious desire and unceasing efforts fully to realise the benevolent intentions of Parliament.

“ There are many important subjects—some of which have already undergone partial discussion in Parliament—the adjustment of which, at as early a period as is consistent with the mature consideration of them, would be of great advantage to the public interests.

“ Among the first in point of urgency is the state of the tithe question in Ireland, and the means of effecting an equitable and final adjustment of it.

“ Measures will be proposed for your consideration, which will have for their respective objects—to promote the commutation of tithe in England and Wales, to improve our civil jurisprudence and the administration of justice in Ecclesiastical Causes, to make provision for the more effectual maintenance of Ecclesiastical Discipline, and to relieve those who dissent from the doctrines or discipline of the church from the necessity of celebrating the ceremony of marriage according to its rites.

“ I have not yet received the report from the Commissioners ap-

pointed to inquire into the state of the Municipal Corporations, but I have reason to believe that it will be made, and that I shall be enabled to communicate it to you at an early period.

“ I have appointed a Commission for considering the state of the several dioceses in England and Wales, with reference to the amount of their revenues, and to the more equal distribution of episcopal duties ; the state of the several cathedral and collegiate churches, with a view to the suggestion of such measures as may render them most conducive to the efficiency of the Established Church ; and for devising the best mode of providing for the cure of souls, with reference to the residence of the clergy on their respective benefices.

“ The especial object which I have in view in the appointment of this Commission is, to extend more widely the means of religious worship according to the doctrines of the Established Church, and to confirm its hold upon the veneration and affections of my people.

“ I feel it also incumbent upon me to call your attention to the condition of the church of Scotland, and to the means by which it may be enabled to increase the opportunities of religious worship, for the poorer classes of society in that part of the United Kingdom.

“ It has been my duty on this occasion to direct your consideration to various important matters connected with our domestic policy.

“ I rely with entire confidence on your willing co-operation in perfecting all such measures as may be calculated to remove just causes of complaint, and to promote the

concord and happiness of my subjects.

“ I rely also, with equal confidence, on the caution and circumspection with which you will apply yourselves to the alteration of laws, which affect very extensive and complicated interests, and are interwoven with ancient usages, to which the habits and feelings of my people have conformed.

“ I feel assured that it will be our common object in supplying that which may be defective, or in renovating that which may be impaired, to strengthen the foundations of those institutions in Church and State, which are the inheritance and birth-right of my people ; and which, amidst all the vicissitudes of public affairs, have proved under the blessings of Almighty God, the surest guarantees of their liberties, their rights, and their religion.”

In the Peers, the address which, as usual was an echo of the speech, was moved by the Earl of Hardwicke, and seconded by Lord Gage. Lord Melbourne moved an amendment in the same terms with that which we shall immediately have to notice as having been proposed in the House of Commons, extremely undecided in its character, and apparently framed for the very purpose of catching stray votes by being so constructed that even its success could not lead to the resignation of the ministry. The speech, with which lord Melbourne introduced it, gave no information regarding what had occurred at the dismissal of his administration, and was principally occupied in blaming the late dissolution of Parliament, a measure with which the opposition could have no substantial reason for finding fault, except that it had

greatly diminished their numbers. After expressing his surprise that the speech from the throne had made no mention of the change of ministry, he attacked the conduct of the Duke of Wellington in having held at one and the same time the office of first lord of the Treasury and the seals of the three great departments of the state. He admitted that his grace had assumed these offices only for a temporary purpose, and that his doing so would be defended on the ground of the necessity and urgency of the case; but it lay with the duke of Wellington to justify that necessity. This union of offices was incompatible with the principles of the constitution; it placed in the hands of one man, without check or control, all the powers and all the pecuniary resources of the empire. He would not say, that the duke had taken these offices with such an intention: that would have been a high misdemeanour; but it would be a matter of consideration for their Lordships to specify the extraordinary circumstances under which these offices had been held, in order to prevent it from being drawn into a dangerous precedent. The dissolution of Parliament his lordship treated as an extraordinary step, disturbing the tranquillity of the country without any intelligible reason except that the new ministers, being set against reform, could not proceed with a House of Commons pledged to reform. In a speech delivered by sir Robert Peel at a dinner given to the ministers at the Mansion-House in December preceding, he had referred to the calm and tranquillity which had existed in the country since the downfall of the ministry, as proving that this event was not one which the nation thought re-

quired or would justify any degree of excitement. "We are tired of agitation," he had said, "we are tired of that state of continued excitement, the effect of which in private life is to withdraw men from their proper business, and, in public life, to consume the energies of public men in other than their proper duties. We hate the pressure from without. We are content that the public will should be expressed through authorized and constitutional organs." These said Lord Melbourne, were the very reasons against a dissolution. What could produce agitation more effectually than a general election? What could more completely take private men from their business, and public men from their duties? What could more effectually cause the pressure from without than a general election, which brought the influence of the people immediately to bear on their recognized and constitutional organs? He was aware there were precedents for such dissolutions. They had occurred in 1804, 1807, and 1831, but the defence of these dissolutions was to be found in the success with which they were attended. In the present instance, the government had met with more success than it had expected, and yet not with so much as they required; and if dangers should arise, they would be attributable solely to the dissolution of the late parliament. That parliament had not been elected, like the Parliament of 1831, at a time of great public excitement. The great majority of its members had been returned with professions of reform on their lips, from which it was to be inferred that such was the general feeling of the country. If then, the new ministry were prepared to

bring forward measures of reform, why was it necessary to turn out a reforming parliament? In former dissolutions, there had been the justification, such as it was, of an entire change of policy. It was so in 1784, and again in 1807, when the question of Catholic Emancipation was thrown over; and again it might be so considered in 1831, when the policy of "reform or no reform" was at issue: but what change could justify the late dissolution? It was avowedly no change of policy, for the continuance of the reform policy was professed. It was, in fact, a change of men only, and not of measures. Under these circumstances, he looked upon the late dissolution as a mere wanton exercise of power; and he knew of no other cause for it, except it was for the purpose of introducing some Tory members to the House of Commons, in order to drag them through the mire after the abandonment of their principles. He could not guess at any other cause, except it was, that by frequent dissolutions noble Lords opposite wished to fulfil their own oft-repeated predictions—that it was impossible to conduct the Government under a reform dispensation.

The duke of Wellington, against whom threats of impeachment had been launched from the hustings as an usurper of unconstitutional power, answered, that the charge, though loudly urged, was not a very serious one after all. When the king empowered him to form a ministry, he had declined the offer, however flattering it might have been to ambition; he did not act as one who had a personal object to serve; he refused the office of prime-minister, and recommended

to his Majesty to send for sir Robert Peel as the individual most capable, in the present times, of discharging the duties of the king's first minister. It was necessary both that some person should be in the government till Sir Robert's return, and that whoever carried it on should exercise no patronage, nor take any step which might prevent the new minister, on his arrival, from acting with perfect freedom. He had therefore advised his majesty to place him (the duke) provisionally at the head of affairs as first Lord of the Treasury and Secretary of the Home Department. It was true that, in the latter capacity, he held the seals of the three secretaryships: but whoever was appointed to any one of these three offices was competent to hold the seals of the other two in the absence of those to whom they had been confided; and he had exercised no more authority than if he had been one of the three principal secretaries, and his colleagues absent. No inconvenience had resulted from the arrangement. During the time he held the seals there was not a single office disposed of, or act done, which was not essentially necessary for the service of the king and of the country; and Sir Robert Peel found all things, as nearly as might be, in the same situation in which they had been, when the change of ministry took place. It might be true that there was an incompatibility between the secretaryships and the office of first lord of the Treasury, if these offices were held by the same individual for any length of time; but every body knew that the arrangement was merely temporary. He had only held the government provisionally for another individual

who had been sent for by his sovereign. Mr. Canning had been named first Lord of the Treasury on the 12th of April, while he was yet foreign secretary, and he did not resign the latter office till the 30th of April.

His grace repelled likewise the charge which had been made of his being in any degree responsible for the dissolution of the late government. All the idle stories which had been propagated about court intrigues were now laid aside. (Lord Melbourne here remarked that he had never propagated them). It was now fully admitted on all hands that no such thing had existed. For his own part, he had had no communication of any description with the court for between two and three months before he received his majesty's message; and although he was satisfied that some great change in the administration must follow the removal of Lord Althorp from the House of Commons, that message was as much a matter of surprise to him as it possibly could be to any of their lordships. The late administration had been dissolved by the impossibility of going on longer, from the time they lost their leader in the House of Commons. When Lord Althorp resigned on a former occasion, Earl Grey had stated that he could not, under such circumstances, continue at the head of the government, for by the resignation of Lord Althorp, he had lost his right hand, and it would be impossible to carry on the government with advantage from the time that that noble Lord had quitted power. But that was not all. Viscount Melbourne himself had stated to their lordships, as one of the grounds on which he had been induced to take office,

that he had been assured that Lord Althorp was willing to go on in office with him, and therefore that, with his assistance, he would consent to undertake to carry on the government. But even that was not all; for when Lord Melbourne found that he was likely to lose the aid of Lord Althorp, he declared that he should feel himself placed in great difficulty, because the noble Lord was the very foundation on which the government stood, and when that was removed, it was impossible to go on. When, then, the question of the Government came before his majesty, it was fairly put to him whether he would seek for other counsels, and whether he would consent to other arrangements for the formation of a government, or whether he would be content to abide by that particular administration which at that moment existed. Let their Lordships only observe the situation in which the king was placed, and ask themselves what he was to think in the new position in which he found himself. Earl Grey had been under the necessity of resigning, when Lord Althorp, then Chancellor of the Exchequer, resigned. The noble Viscount, too, had declared that he considered the noble Lord's assistance essentially necessary to him. But when his majesty was left by Earl Grey, and when Lord Althorp was removed from the other House, his majesty, forsooth, was not to be permitted to consider whether his position was not materially altered by these events, and whether it would not be expedient for him to make some other arrangements for the carrying on of his service. Everybody, indeed, but his majesty, was to be allowed to consider the alterations which had taken place by the loss

of Lord Althorp in the House of Commons! Their lordships, however, he was convinced, would not acquiesce in this exclusion. Lastly, as to the dissolution of parliament, it was true that a ministry, who advised the dissolution of a parliament, was liable to be called on for some reason which might have induced them so to do; but he had seldom heard of such a course of proceeding as that ministers should be told, on the first day of the assembling of parliament, "Give me some reason why you thought fit to dissolve; and justify your dissolution of parliament, by showing that the effort you have made has been a successful one." The noble Viscount, after heaping his censure upon them for dissolving, added, that, in all cases where parliament was dissolved, it was success which justified the measure. If, then, they had made an experiment which was to depend upon so peremptory a criterion, surely he ought, at least, to allow them a short time to wait and see fairly what had been the result. It would be but fair to give them some little time for the prescribed justification, and not to assail them on the first day of the session. And now as to this success, he wanted to know, after all, how great was that measure of success which the late ministry enjoyed in the late parliament, when it appeared to rest solely and exclusively on the shoulders of a single individual, from which, too, there was no mantle to fall for a successor? So that when he was removed to the Upper House, the government, to which he belonged, had found it impossible to go on. As to himself, he was convinced that the course which had been pursued was correct, and by it he was ready

to stand or fall. He believed, that there were a great number of persons disposed and determined to support the administration, and he hoped the House would have the patience to wait and see what were the measures they had to propose for the benefit of the country.

Lord Brougham, on the other hand, maintained that the Duke of Wellington was responsible for the dismissal of the late ministry, not as having advised or produced it, which he certainly had not done, but as having succeeded to it; for whoever, he argued, takes the place of a dismissed ministry becomes answerable for that dismissal. For many acts of a government, a minister might be held responsible, and would by law be held responsible, although ignorant of those acts, and albeit he did not advise them. The reason was simply this—the king could do no wrong; he must, however, have some adviser, and therefore some responsible adviser. Now, the noble duke stood in this position; he was peculiarly, he was emphatically responsible for the change of his majesty's advisers. For who could be responsible but he who came into the space which the change had made vacant? If the king thought proper to take the seals from one man to give them to another, the man who took the seals became responsible for the change; he was responsible in point of fact as well as in point of law; but for his assistance, the act could not have been committed. If a person, indeed, had resigned, and would not come back, that would be another matter; but if a man were dismissed against his will, whoever took that man's place after the dismissal was an accessory after the fact, because

without his aid it could not have been completed. If a man were sent for by the sovereign under such circumstances, there was no compulsion upon him to accept the office—what had he to do but decline? No harm would be then done. It was only an inchoate act, until the place was actually filled up. The constitution was so cognizant of this, that no office was absolutely considered to be vacant until it was filled up. This was clearly proved in Mr. Pelham's case; several persons had declined his office; he had already resigned the seals; but upon his receiving them back again, it was decided by the House that he need not go to a new election—that he had not vacated his seat—that it had never been effectually vacated, and never could be until his office was filled up. His Lordship then argued that nothing like a tangible or intelligible reason for the change of ministry had been even hinted at. The king's speech, he maintained, admitted that the late ministers had not been dismissed on account of any misconduct of their own. According to that speech, peace had been maintained abroad, and prosperity at home; the scheme for the emancipation of the negroes had been successful. The commission for inquiring into municipal corporations, instead of being denounced as illegal, was to be allowed to proceed, and its results were to be submitted to the legislature. The revenue was flourishing—trade was most prosperous—an eulogium was delivered upon the happy state of our commercial concerns, and the clearest evidences were afforded of the general prosperity of the country, without a particle of blame being attached to—without the least imaginable im-

putation being cast on—the policy of the late administration. It was not for a single moment pretended that the dismissal of the late administration arose from any incapacity on their part; it was not from any want of success in their measures; it was not from any failure of any sort or description, that, on the 14th of last November, the late administration was dissolved. But, forsooth, it was dissolved, because Lord Althorp had been called from the House of Commons to the House of Lords, and without him, it was said, the government could not go on. The late ministers, it seemed, had not an estate for the life of the king nor the life of the parliament; they did not hold their places during good behaviour, nor during pleasure, nor as long as they were efficient, nor upon condition of their measures being attended with success; they held them simply during the natural life of the late Lord Spencer, and no longer, that noble earl being then seventy-eight years of age. The position contended for on the other side was this, that the moment Lord Spencer ceased to exist, that moment the administration must cease to exist likewise. Upon whose authority did that statement rest? Upon the authority of Earl Grey. Now, if the authority of Earl Grey were good for anything, it was equally good throughout—he could not be wise on one question only, and of no value upon all others—and Earl Grey had said openly of the tories, “the tories are ashamed of their name, and have sheltered themselves under the title of conservatives. Those persons fancy they can take the government. Let them only try it.” The idea was absolutely hopeless—it was ridiculously impossible. As to the

value of Lord Althorp in the House of Commons, it was not overrated by Lord Grey; at the same time, the death of Lord Spencer, though most unfortunate, was not unexpected. The advisers of the crown at that time looked forward repeatedly to that event, and canvassed it in every point of view. As men of prudence—of ordinary prudence, they must have most deeply felt the loss—not, as the noble duke seemed to think, the total loss of Lord Althorp to the administration, but his removal from one House to the other. The total loss of Lord Althorp to the cabinet was not contemplated; but even for that event they were fully prepared; on that point they had not the slightest hesitation; it was a subject upon which they entertained not a particle of doubt; those who represented them as having any difference of opinion with reference to it made a most false representation, and still more false was the representation of those who had dared to represent, in the face of known facts, that his noble friend near him had ever expressed to his majesty a shadow of doubt as to the practicability of going on with the government, even though it should sustain such a loss as that of Lord Althorp. There never had been an admission on the part of the late ministers, that they were not prepared to carry on the government.

As to the question which had been put, whether the king was to be the only person excluded from forming an opinion as to the propriety of changing the ministry, Lord Brougham argued that, though the power of nomination was vested primarily in the king, it was not a thing to be used

capriciously or unreasonably. The choice could not be one of loss or gain to the monarch himself; it was not his own concern; it was a trust, in the performance of which he was himself a public servant, discharging the highest of all his duties, with which, in a peculiar manner, he ought not to deal capriciously. The indulgence of private whims and individual fancies was not constitutional—it was not the tenure by which his majesty held his high office. The parties who advised the dismissal of an administration on no public or stateable grounds, incurred a most serious responsibility; for the sovereign of this country had no right to dismiss his ministers unless upon public grounds; and no man had a right to advise the exercise of that highest of the royal functions, unless he could openly state and defend the grounds on which that advice was given. If ministers were torn among themselves by endless dissensions—if they differed from the sovereign—if they differed from the country at large—if their measures were evidently ruinous—if dishonour abroad and disaffection at home marked the whole tenour of their government—above all, if there happened to be a strong and general feeling of distrust and disapprobation throughout the country—any of these might be constitutional grounds of dismissal. But in the present case not one of these reasons existed. Lord Brougham averred, that, from the time the government of Lord Melbourne was formed, till the day it went down, never did any one shadow of difference of opinion, even as to matter of detail, nor any hesitation in one member of the ministry as to the opinion of another, once obtain, and that there

was no difference with the sovereign—no occasion for dissension was given—no dissension took place. They were turned out without a reason ; and, setting aside the time of the Tudors or the Stuarts, the history of the country presented no other example of ministerial changes except on assignable, constitutional, and public grounds.

Passing to the dissolution of parliament, his lordship said, that the reason given for that proceeding, and the assertion which was made the pretext for dismissing the ministry, were contradictory and destructive of each other. Ministers were turned out ; because the House of Commons would not follow them after they had lost Lord Althorp ; and then the house of Commons was turned out, because it would follow them too much although lord Althorp had left them. The reason, and the only reason for getting rid of the late parliament was, that the late ministers were still its favourites, and that the new ministers durst not allow that House to meet ; knowing, as well as he knew, that their first vote would have been, not that they could no longer trust the late ministers because of the loss of Lord Althorp, but that, although they regretted that event, they still confided in them. Lord Brougham then pronounced a long invective against what he considered the inconsistency between the former policy of the members of the existing administration, and that which they now professed themselves willing to adopt. It was the result not more, perhaps, of reason and experience, than of a sort of instinct, that men mistrusted all sudden, unaccountable, and miraculous conversions, of which this was one. That a man who had been the

enemy of change, and the vituperator of all innovations—who had confounded with revolution, anarchy, and political insanity, if not depravity, any attempt to touch even one of the outworks of any of the venerable institutions of the country—who had signalized these opinions by years of uninterrupted hostility to every species of reform, and whose protests had stigmatized it in the boldest language on their lordships' journals—that such a man, without any event having happened, or any change in public affairs, should have so decided a change produced upon him all at once, appeared to him one of the most unaccountable phenomena in human nature which he had ever been call on to contemplate. This was the Duke of Wellington's second conversion ; and Lord Lyndhurst likewise had given an example of the nimbleness with which he could be converted. It was always suspicious, when people changed their principles and gained something. In some cases it might certainly be a proof of magnanimity and honest devotion to the public well-being ; but that was a case which should occur only once in a statesman's life. A man might once get himself into that false position, and expose himself with impunity to such a load of suspicion ; but assuredly no weight of reputation, and no amount of public service, would ever enable a man, with impunity, to play the same game twice. No one had rejoiced more than himself in the conversion of those who now formed the ministry to the cause of Catholic emancipation ; but he freely confessed that, on that occasion, he had been a dupe. He maintained, therefore, that in the present government no confidence could be placed. They asked for

a trial, but they had been on trial all their lives, and had been found not only wanting in reform but its bitterest opponents. If they were reformers, why did they dissolve a reforming parliament in the very freshness of its youth, not enervated by any improper excesses, not sapped by intrigue nor injured by old age? Nay, during the late election, wherever a moderate reformer and an anti-reformer were opposed to each other, it was the latter that received the countenance of the government, and they actually boasted that they had got nearly an hundred anti-reformers into the present parliament. Was it a chimerical apprehension then to dread, that attempts would be made against the Reform Bill itself? Ministers and their friends had uniformly described that change as a revolutionary measure, which involved confiscation of the funds, and the abolition of nobility, and which went to tear the crown from the sovereign's head. It was impossible, therefore, that it could be safe in their keeping; they would not be acting justly towards their own consciences, if they did not do something to thwart its working. The people might be assured that the first act of a conservative majority in parliament would be to re-enact a part at least of the system of rotten boroughs. The only security of the country lay in not being taken in by untried men, or by men who had already gone from their pledges, but in adhering to their tried reformers, who had fought along with them the battles of the constitution. What might be the result, as regarded the two branches of the legislature, of the conflict into which the noble Duke had thought fit voluntarily to enter, it was not

for him to say. Of one thing he was morally certain, that if any desperate attempt should be made to overawe the people of this country by mere force and power, or to wear them out by repeated appeals to their sense, as it was called, but which would become appeals of a very different nature if persisted in—if any attempt should be made to set at nought the sense of the country, after the appeal had been made of a highly unnecessary, unconstitutional, aye, he would say, of an impeachable kind, in the circumstances in which that appeal was made—then, woe be unto them, whosoever they might be, who, instead of carrying on the government according to the sense of the people legally and constitutionally declared by their representatives in parliament, should attempt to govern against, and in spite of, the House of Commons, and to set up the House of Lords as governing the nation—for it would come to that—thereby to present to the people of England the government of an aristocracy, the most execrable of all forms of government that ever cursed mankind.

The Lord Chancellor, after repelling the insinuations of Lord Brougham, that the ministry which carried the Catholic question had abandoned their principles on that occasion for the sake of retaining their offices, which, in fact, were endangered by the course which they then adopted, adverted to the responsibility which the present ministers were supposed to have incurred as having virtually advised the dismissal of their predecessors by having consented to succeed them. He referred to Earl Grey's declared wish to resign, when Lord Stanley and his friends

seceded from the ministry ; t his actual resignation merely because he found it impossible to carry on the government without having Lord Althorp in the Lower House; and to the confession of Lord Melbourne, when he formed the late ministry, that he had been able to do so only in consequence of Lord Althorp having been prevailed on to resume his place as leader in the Commons. All these matters, continued Lord Lyndhurst, were well known to his Majesty : and more followed ; for when Lord Althorp was removed to the House of Peers, Lord Melbourne went to the king to state the fact—told him that the foundation, on which the cabinet had been formed, had been taken away, and that it was for his majesty to say, in this new and altered state of circumstances, whether he would refer to other counsel, or whether his lordship should endeavour to reform the government. The sovereign, therefore, and by the sovereign he meant the new ministers, had to consider whether the government so proposed to be formed again was likely to be permanent. If his majesty was convinced of the contrary, and that it might break up at a time when its dissolution might be productive of much more mischief than it was calculated to occasion at that particular moment, was the king not justified in changing his ministers? He considered himself as one of the ministers, responsible for what had been done, and would have been ashamed of himself, had he been called on for advice, not to have advised the king to dismiss his ministers—to dismiss them not as a matter of reproach, but because, under the circumstances, and after the repeated breaches that had

taken place in the government, there could be no good ground for supposing that it would be permanent, if again made up. It was in vain to talk of the dissolved ministry having enjoyed the confidence of the country. Few measures of the crown had ever given more entire satisfaction than its dismissal, A meeting had been called at Manchester to address the crown in favour of the late ministers : and what took place? In an assembly of 10,000 persons an amendment was carried to thank his majesty for what he had done. Several other instances of the same kind had taken place. On what ground was it then that the late ministers stated themselves to have been firm in the confidence of the country? Still more strange was the charge of having dissolved parliament; for Lord Brougham, in the same breath in which he made this dissolution matter of blame, declared that the new government would have found it impossible to go on with the old parliament. If it was so, there was the justification of the dissolution. If a new government found it impossible to carry on the government with an existing House of Commons, what was there unconstitutional in asking the people whether they would return a House of Commons which would enable the government to proceed? And the result had justified the appeal : for the true secret of all this clamorous vituperation of the dissolution of parliament was to be found in the fact, that so many adherents of the late ministry had been rejected by their constituents, and so many well-wishers of the new ministry returned in their place.

The lord chancellor next adverted to the blame thrown on the

Duke of Wellington, as having usurped all the great offices of the state. It was necessary, he said, either that the old government should have remained in power till the return of Sir Robert Peel, or that a new government should be formed provisionally. If the former course had been adopted, where would the new government have been? The late ministers would have used their continued power only to prevent a new ministry from being formed. Even as it was, symptoms of that kind had shown themselves. No lord chancellor had ever been in the habit of inserting names in the commissions of the peace without consulting the lord-lieutenants of the respective counties; but Lord Brougham, after he was out of office, did that which should not have been done if he had been in office,—he had sent for the commissions of six counties, and made out the fiats for the insertion of certain names, not only without application to the lord-lieutenants of the counties, but in direct opposition to their known wishes. He did not say that this proceeding was absolutely illegal; but was it right that such powers should be left in the hands of ministers who would exercise them even after their removal from office? It was necessary that the government should be taken up by some person, and who more fit for the task than the Duke of Wellington? There were repeated instances of such a plurality of offices. Lord Liverpool had been first lord of the Treasury, and secretary of state at the same time. When the chancellorship of the Exchequer was vacant, who was to hold the seals? The law itself said, the lord chief justice of the King's Bench, who also held another high office. He

himself, too, had taken, on this occasion, the great seal, while he was still chief baron of the Exchequer; but in that there was nothing illegal: nay, Lord Brougham himself had told him to do it, and had declared to him it was the best course he could take.

In answer to the charge of inconsistency, he would refer to the measures mentioned in the royal speech, and would ask, where was any inconsistency to be found? In regard to municipal corporations, the speech only stated that the commission, which the former ministers had issued, was still in progress, and that the report, when ready, would be laid before parliament; and what should be done must depend upon the nature of that report, and the evidence on which it was founded. As to the commutation of tithes, he had never expressed an opinion adverse to the settlement of that question, nor had he ever opposed any measure for that purpose, especially in Ireland, though he might have objected to some particular details. There were other matters connected with the Irish church, but a commission was now investigating the whole establishment: till that commission had reported, it would be premature in the government to adopt any measure; and so the late ministry themselves had thought no farther back than last session. The new government had already issued a commission in regard to the English church, to inquire into the revenues of the dioceses and clergy, with a view to a more equal distribution of wealth, to promote residence, and provide spiritual instruction for the people, by applying to that object the produce of sinecures. A valuable sinecure had lately fallen in, and had been ap-

plied to meet the wants of a parish containing 25,000 inhabitants, for whom no commensurate provision had before been made; and it was the intention of government to refer every sinecure, that might become available, to that commission, to point out the best mode of applying it to the performance of actual services. He denied, therefore, the charge of inconsistency *in toto*. There was nothing recommended in the royal speech, or now contemplated by the government, that any member of the government had on any former occasion opposed; and he trusted that parliament would wait to see what were really the measures the government intended to bring forward, and not come to a hasty conclusion on the groundless suppositions of others.

The Earl of Ripon said, that, notwithstanding his connection at one time with the late government, he was prepared to vote for the address, though he could not give ministers his unqualified support. He was not prepared to give them confidence, but neither was he prepared to say, that they would not prove worthy of the confidence of that House and of the country. It did appear to him that in the king's speech nothing tangible was proposed, no principles were laid down giving assurance that the line of policy intended to be pursued was in conformity with the feelings and wishes of the people; but this he could say, from long experience, that it was scarcely possible to shadow out and set forth in detail in a king's speech the measures which the government might intend to pursue. It was in vain to say that it was preposterous to expect that ministers could seriously intend to introduce measures

founded on the principles of the reform bill; for it was impossible that any ministry, which set itself against the principle of reform, could retain power for four-and-twenty hours: the measures of government must be in accordance with these principles; and it was idle to suppose, whatever the inclinations of a ministry might be, that they could set the reform act aside, and proceed in opposition to its principle and spirit. That because men on former occasions had opposed particular measures, they were not entitled to credit as sincerely intending to adopt a different course, was a principle to which no statesman could subscribe; for circumstances often occurred in political life to alter the opinions of public men, and compel them to sacrifice to present expediency or necessity the very principles to which they were attached. Thus he himself had voted in the House of Commons against every proposal for parliamentary reform; yet he had formed one of the very ministry who passed the reform act; and his reform colleagues had never considered themselves degraded by being associated with him in bringing forward that measure, nor had he ever heard that they considered him unfit to sit in a reform cabinet. With respect to the circumstances which had taken place during the interregnum, between the dissolution of the late, and the appointment of the present ministry, he certainly thought that they were to a certain extent unconstitutional, and could not be defended, unless the exigency of the case rendered them absolutely necessary. But having heard the explanation of the Duke of Wellington, he did not think there were grounds for further inquiry.

The Duke of Richmond, who, in the preceding year, had quitted the reform ministry at the same time with the Earl of Ripon, and on the same grounds, expressed similar sentiments. He had no confidence, he said, in the composition of the present administration, but he would allow it a fair trial. The ministers had declared their intention of proposing measures of paramount importance to the country; and if they should succeed in carrying the bills which he knew they had in contemplation, the country would be a great gainer. Neither could he avoid looking at the consequences likely to result from the overthrow of the present administration without a trial. If they were turned out to-morrow, who could succeed them in the present state of the House of Commons? Another dissolution would inevitably be resorted to by the succeeding administration. Then the country would be re-excited, and all the bad feelings which prevailed on such occasions would be called forth—a circumstance which made him regret that the late dissolution ever had taken place.

The amendment was negatived without a division; and perhaps the most striking thing in the discussion was the absence of any authoritative and explicit statement of what had passed between the king and Lord Melbourne at the interview which terminated in the dismissal of the late ministry—what statements his lordship had made, what views, expedients, or alternatives, he had submitted to his royal master.

In the Commons the contest was long and obstinate. The address was moved by Lord Sandon, one of the members for Liverpool, and seconded by Mr. Bramston. The

moving of the amendment was intrusted by the opposition to Lord Morpeth, and the character of the amendment itself was such as to admit of being supported by members who might be willing to express disapprobation of what had been done, though they would have shrunk from any vote which would have necessarily led to the expulsion of the ministry. It contained no declaration of want of confidence in the ministry; it breathed no complaint of the manner in which the late government had been dismissed; it referred not to what had been called the unconstitutional usurpation of power by the Duke of Wellington. It expressed a hope that municipal corporations would be placed “under vigilant popular control”—that the “undoubted grievances” of dissenters would be removed, and that “abuses” in the church of England and Ireland would be removed. In regard to the past, it merely lamented the dissolution of parliament as an “unnecessary” measure, by which “the progress of these and other reforms had been interrupted and endangered.” What should be considered the “vigilant popular control” of municipal corporations; what were the “undoubted grievances” of dissenters, and what the ecclesiastical “abuses,” which it was hoped would be removed and corrected, remained untold: for any thing that appeared, it would become matter of subsequent opinion whether the measures which ministers might propose did not satisfy the language thus used. On the one hand to vote for phrases like these was tying the minister down to nothing, except on the absurd supposition of his policy being founded on this, that no topic connected

with municipal corporations, with the dissenters, or with the church, should be taken into consideration : on the other hand, however far the minister might go in these matters, the phrases thus used left it always open to the opposition to maintain that he had stopped short of their requirements, because there would always remain some further point of innovation which they would say had been included in the meaning which they attached to the words popular control, abuses, and undoubted grievances. The amendment did not say what they demanded, or with what they would be satisfied, and, in itself, it equally expressed the wishes of the most moderate conservative as of the most extravagant radical. The man who thought that town-councillors should be elected for life—the man who thought that they should be elected for five, eight, or ten years—the man who thought that both they and their electors should possess a high qualification—and the man who thought that neither should possess any qualification at all, and that the elections should be annual—could all find the description of their respective opinions in the phrase “vigilant popular control;” and accommodation no less ample was provided for every possible diversity of view regarding “abuses” of the church, and the grievances of dissenters. The late ministry had never suggested any plan of municipal administration : their bill to regulate the marriages of dissenters had been rejected by the dissenters themselves ; instead of trying to mend it, they had abandoned it altogether ; and the new minister was indubitably much better able to frame, while he had never betrayed any unwillingness

to adopt, such a measure of regulation. The only “abuses” of the English church, which the late ministry had attempted to remove, were those for whose remedy they had proposed commutation of tithes and of church-rates. To both of these objects Sir Robert Peel had been friendly ; and it was not his fault that the bills, by which his predecessors had sought to attain them, had been abandoned as insufficient to accomplish the end. In the Irish church, the commutation of church-rates, and the diminution of bishopricks had already been effected. The late ministry had further proposed to transfer the payment of tithe from the poor tenant to the proprietor ; to diminish its amount in return for the greater security that was to be given ; to introduce a better proportion between ecclesiastical labour and remuneration ; and to resist any legislative declaration of what should be done with a surplus revenue, till it should be ascertained whether any such surplus existed ; and all these things Sir Robert Peel had supported. So far, therefore, as the language of the amendment went, it did not pledge either ministers or their opponents to any specific measure ; nay, it might mean much less than what the minister was prepared to give, and what he had already approved ; and in so far as its generalities were explained by previous conduct, it amounted to the expression of a hope on the part of the opposition, that Sir Robert Peel would propose the same measures as minister which he had supported while he was out of office. Lord Morpeth is a poet, or, at least, a translator of poets ; but his lordship must have been misled by more than even poetical

licence of language, when, after admitting that the royal speech contained nothing in which he and his friends could not conscientiously concur, he moved the amendment as a "more marked demonstration of opinion."

The allusion in the amendment to the dissolution of parliament was of a more positive character. The opposition lamented that measure as "unnecessary," and that was fair matter of argument. But they likewise stated, that, by the dissolution, "these and other reforms had been interrupted and endangered!" As nobody could tell what the "other reforms" were, nobody could tell whether to have interrupted and endangered them was a good or an evil. In regard to the specific measures mentioned in the amendment, the general election could have endangered them only by returning a majority, or, at least, greatly increasing a minority, opposed to them. But was it becoming in the very framers of the reform act to lament an appeal to the people, because the people had used it to express opinions hostile to their own? And which of these measures had the dissolution interrupted? What bill for the government of corporations — for the removal of "undoubted grievances" from the dissenters, or of "abuses" from the church, had been pending? What inquiry had been cut short? Till they saw what measures were proposed, how could they prophesy that even any intended measure had been interrupted?—more especially as nothing was known of what had been their measures *in posse*, except from the public declaration of Lord Brougham in the north, that though little had been done during last year, they would do still

less during the present. The phrase would have borne a meaning, if it had lamented the interruption of these, or any other measures, as the consequence, not of the dissolution of parliament, but of the change of ministry. To have done so, however, would have been approaching a vote of want of confidence; it would have been a declaration by the opposition that the minister did not mean to do certain things, in all of which, so far as they had been brought before parliament, he had already concurred, and of which, at least, they did not know whether he intended to propose them or not. But they had no expectation of combining a majority to support either of these views; and thus the amendment, instead of bringing into the conflict any two opposite courses of policy, or starting any distinct question which could affect the existence of a ministry, became merely an arbitrary text to try how many members, from whatever variety of causes, regretted the late government, without being willing to insist that it should forthwith be restored. The consequence was, that the opposition gained several votes which they would have lost, if the amendment had contained anything proposed with the intention, and the carrying of which must have had the effect, of producing the resignation of the ministry.

The debate, which began on the 24th of February, was continued by adjournment on the 25th and 26th. In moving the amendment, Lord Morpeth admitted, that in ordinary times, there would not be much room for criticism, and still less for political opposition, in the king's speech; but he thought the present times so

special and peculiar that the House ought not, in its address, to confine itself to unmeaning formalities. It was impossible on an occasion like the present to avoid referring to the events that had followed the dissolution of the late government. His majesty, in the exercise of his undoubted prerogative, had been pleased to dismiss the government of which Lord Melbourne was the head. No one admitted more fully than he did his majesty's undoubted right to exercise that prerogative, and he would further express his sincere belief that his majesty was incapable of exercising it, unless with the intention of promoting the true interests of his people. But he would, with equal confidence, assert the right of that House to call in judgment, not the undoubted and inalienable prerogative which the king possessed, but this particular and special exercise of it, so far as related to the acceptance or rejection of the measures and administration of those servants of the crown, and consequently servants of the people, to whom he had confided the administration and superintendence of the national affairs. With the causes of the dissolution of the late government it yet remained for them to be made acquainted. At present they knew nothing more than this—that the late administration was one that was only recently formed, that it was one that possessed, in an extraordinary degree, the confidence of parliament, and that its political opinions coincided with those of the great majority of the late House of Commons. They knew further, that, at the period of its dissolution, the late government was employed in some of the highest matters of national concern; that it occurred in a time of complete

tranquillity—of comparative and growing prosperity. Surely the causes of the dismissal of the late government must have been of a grave nature indeed, when they were dismissed at once without notice, when the usual courtesy was departed from—of the occupants of places retaining them until their successors were appointed, and when there occurred that most unusual, and he thought most unseemly huddling of offices in the single person of the Duke of Wellington. He would raise no hypocritical pretence that any harm had been done by the noble duke's assumption for a time of so many different offices; but might no harm arise hereafter from such a thing being converted into a precedent, if such a thing was not to be noticed; and if it might be followed, what harm might not be done? If the country had been obliged to go to war at the time, who was to be responsible for the discharge of the duties of the foreign department? If that which had been so confidently predicted by so many Tory publications—an insurrection of the negroes should have occurred, who was responsible for the colonial-office? If at home in Ireland unhappily some tithe disputes should arise, who was responsible as home secretary? He might enlarge the scale to a far greater extent; what single shoulders could bear such a load of responsibility? At last came the Chancellor of the Exchequer from Italy. He would be the last person to do injustice either to the incomparable talents of that gentleman, or to his high and honest aspirations to be of use to his country; but from the principles which Sir R. Peel had supported throughout his life, and from the asso-

ciates by whom he was now surrounded, he had put himself (not that anything like eternal exclusion from political office should be considered as the result with regard to him personally, for who could foretell the thousand-and-one changes in the public service), but certainly for the present, at variance with the political inclinations of his countrymen. His first public act, as minister, had been to dissolve parliament. Now, he would propose that they should respectfully state to his majesty their disapprobation of that dissolution. What misdemeanour had that parliament committed? It nourished a spirit of loyal attachment to the crown, it sustained public credit, it enforced economy, and it abolished slavery. True it was, that it had manifested a desire for the admission of the Dissenters into the universities, and that it had exhibited an inclination to accommodate the secular state of the Irish church to the spiritual wants of its flocks. But no difference had occurred between it and the other House—it had passed no hostile vote against any administration; and yet, at a most important crisis of public affairs, this parliament was, by the enemies of short parliaments, dissolved and cashiered. He had no wish to comment upon projects not as yet fairly developed; but something was due from them to the late parliament, something to the late government, much to the opinions and wishes of their constituents, much to the unchanging principles of justice, fidelity, and honour. They might have expected a more direct allusion in his majesty's speech to the bearings which the church of Ireland had upon the condition of that much-

harassed country. He did not mean to invite the House into any specific detail or plan with regard to that most arduous and complicated subject; but he thought that they ought to know more fully what it was determined to do upon it. His majesty had adverted to the commission that was sitting on the state of corporations. It certainly was a gratifying thing to hear that the report would be made, and that his majesty would communicate it at an early period to the House; but some hint should have been given of the principle which, as it seemed to him, ought to guide them in the adjustment of a question so notorious in its general features, that principle being adequate superintendence and control on the part of those for whose collective benefit corporate privileges ought alone to exist. His majesty was also graciously pleased to advert to the claims of his loyal Protestant Dissenting subjects, and he thought that in acknowledging his majesty's gracious condescension in that instance, they should not let it be inferred that the whole circle of the Dissenters' grievances were comprised in the single article of marriage. It was difficult to look back to the events that had occurred since the last parliament sat in Westminster, without wishing for a more ample assurance as to the kind and species of reforms that would be brought forward, for a more precise and definite intimation on that important subject, sufficient to mark the mode and spirit in which ministers were determined to enter upon the consideration of abuses, and the manner of their reformation. He therefore moved the amendment, not omitting or altering any part of

the proposed address, but adding to it the following words:—"To assure his majesty that his majesty's faithful Commons acknowledge, with grateful recollection, that the acts for amending the representation of the people were submitted to parliament with his majesty's sanction, and carried into a law by his majesty's assent; that, confidently expecting to derive further advantages from those wise and necessary measures, we trust that his majesty's councils will be directed in a spirit of well-considered and effective reform; and that the liberal and comprehensive policy which restored to the people the right of choosing their representatives, and which provided for the emancipation of all persons held in slavery in his majesty's colonies and possessions abroad, will, with the same enlarged views, place, without delay, our municipal corporations under vigilant popular control, remove all those undoubted grievances of the Protestant Dissenters, and correct those abuses in the church which impair its efficiency in England, disturb the peace of society in Ireland, and lower the character of the establishment in both countries. To represent to his majesty that his majesty's faithful Commons beg leave submissively to add, that they cannot but lament that the progress of these and other reforms has been interrupted and endangered by the unnecessary dissolution of a parliament earnestly intent upon the vigorous prosecution of measures to which the wishes of the people were most anxiously and justly directed."

The amendment having been seconded by Mr. Bannerman, a Scotch member, who said that when it was put into his hands a few hours before, he had considered

it too much of a milk and water nature, though a little reflection had altered his opinion, was opposed, he said, by Mr. Pemberton. Every man must see that the real purpose of the amendment was not to express particular sentiments on a certain line of policy, but to declare a preference of the late over the present administration. Considering the quarter from which the amendment proceeded, and the character of the individuals with whom it originated, those topics, in reference to which the amendment was silent, were infinitely more important than what it professed to speak of. Although he knew no more of the removal of the late ministry than what was known to the rest of the public, he could not pretend to be in that absolute ignorance which lord Morpeth professed on the subject. When the House recollected the differences between members of the late government on the great question of the appropriation of the revenues of the church of Ireland, on the question of shortening the duration of parliament—on the vote by ballot, that it was in the power of any individual to accelerate the disunion arising out of these and other differences at any moment, and that it was the policy of some ministerialists to bring such questions to the test—a policy which led to the dissolution of Lord Grey's Government—it could not be denied that there existed in the late cabinet those principles of dissension and dissolution, which, sooner or later, must have led to its own destruction. But independently of these considerations, when he remembered the successive losses sustained by the Reform Ministry—the removal of Lord Althorp to the Lords, thereby vacating the two most important offices in the

House—the office of Chancellor of the Exchequer and leader of the Commons—when he recollected that scarcely more than one or two of the members of Lord Grey's original cabinet remained, he thought the difficulties of the late Government must be admitted. Its members were not of sufficient weight in the House or the country to carry on the government; nor did he see whence they could derive assistance, except from a quarter hostile to the most valuable institutions of the country and to the integrity of the empire.

With respect to what followed on the dismissal of the late government, the House, before coming to any decision on what the duke of Wellington had done, ought to bear in mind the circumstances in which he had been placed, not by any conduct of his own, but by the act of some member of the displaced Cabinet. When the dissolution of the ministry took place, there were not a few individuals who felt well disposed to see a new ministry formed from among members of the former government and other parties; and if that arrangement had been carried into effect, the conservative portion of the late government might have been restored. But was any place or opportunity allowed for the adoption of such an arrangement? Did anybody forget the mode in which the announcement of the dissolution of the late cabinet was made? He should have thought, after Lord Melbourne had received his dismissal from his majesty, that a feeling of delicacy towards the sovereign—a sense of what was due to himself, to his colleagues, and the country, required some interval to be allowed to the king to consult the noble duke whom he

had invited to his councils—some interval to Lord Melbourne and his colleagues, with a view to prevent the unconstitutional assumption of all the offices of the state by one individual. But how did the case stand? It was only on Friday night, the 14th of November, that Lord Melbourne arrived in town, having received his dismissal from his majesty, and bearing the royal summons for the attendance of the duke of Wellington at Brighton—a summons which he believed the noble duke did not receive at Strathfieldsay till the second day after its date. Lord Melbourne summoned a council for the following day, to acquaint his colleagues with his majesty's decision. But what took place in the interval? A manifesto—an announcement of an extraordinary description, appeared in the Morning Chronicle of Saturday, stating the dissolution of the late government, and accompanying the announcement with two statements, not only notoriously untrue, but calculated to prove extremely mischievous. One was to the effect that the dissolution of the ministry was attributable to the queen—"The queen has done it all;" and the other statement, equally untrue, and still more mischievous, was, that the duke of Wellington was already with the king. Now, *the individual must have been a Cabinet Minister that made that statement*, and he must have known at the time that the duke of Wellington had not yet received the royal summons.* This indecent and mischievous proceeding in question had not taken place with

* It was by many ascribed to Lord Brougham.

the concurrence of the late Cabinet, and many of its members were wholly ignorant of it, till they read the article in the newspaper. But was it possible for the king, or anybody else to suppose at the moment, that any member of a Cabinet so unanimous as the last, would venture upon such a step without concert or consultation with his colleagues? When his majesty therefore found his late Cabinet appealing to the people (for so it seemed), was he of all men to be alone precluded from a like appeal—was his majesty forbid to call in other advisers, and to take the sense of his subjects as to whether he must submit to dictation? (*Cheers.*) Of all men in the empire, was the duke of Wellington to refuse to his sovereign, under such circumstances, advice which the humblest and meanest amongst us would, if called on, have blushed to refuse? The duke came forward as became him: feeling that, in a conservative administration, the prime-minister should be a member of the Commons, where the battle of the constitution must be fought, he had advised his majesty accordingly, taking upon himself all the risk, odium, and responsibility that presented themselves—everything but the patronage and emolument of office. He did accept the supreme power of the state, but only to hold it as a sacred deposit, until he could commit it to those hands which his majesty, acting under the noble duke's advice, thought the fittest ultimately to receive it. His grace laid down his important trust at the earliest possible period, without a single complaint from any quarter that any interest, public or private, had experienced the slightest detriment—without

conferring upon any individual advantage or emolument; and he laid it down, not to retire from the fatigues of office to private life, but to tender his services in any situation in which he could be useful, and to accept a subordinate office in the government which he had formed. This was the *maire de palais* whom the radical newspapers and mob orators had abused as a tyrant and usurper,—individuals who ought to thank God that they had a free country, under so mild a rule, and thus protected, left them to agitate in. In the present state of public affairs any government must rest for support more on the character of its measures than upon the talents of its members. Practical improvement must be the watch-word and war-cry of any party or cabinet. It had been assumed, that it was impossible for any administration, whose members had opposed the reform bill, to administer the affairs of the country; but he was unable to understand the principle upon which this assumption proceeded. Surely the reform bill had been carried only as a means to secure a certain effect; and he did not see why gentlemen, who had differed from the supporters of the reform Bill as to the fitness of the proposed means, might not concur with them in the effect sought to be produced. There was nothing in the construction of the reform bill that indispensably required that the original inventors should always preside over its workings. Yet the subject was treated as if the reform bill were a machine which necessarily gave the inventor a patent right in its management and use. If the reform bill were thought to be in danger, he could understand why there

should be jealousy; but it was not in any danger; or if it were, the danger arose, not from those who had formerly opposed it, but from those who were once its warmest friends. Those who had been for the bill, the whole bill, and nothing but the bill, were now for anything but the bill; they were for triennial parliaments, vote by ballot, household suffrage, and he knew not what. He could not help thinking that the present government possessed many advantages beyond those enjoyed by the last. He knew that there were too many out of the House, and he feared there were a few in the House, to whom it would appear a recommendation to a measure, if it appeared likely to produce a collision between two branches of the legislature; but he did not believe such to be the sentiments of a majority of the House: on the contrary, he believed it would be considered an advantage, if measures could be carried with the general concurrence of the different branches of the legislature. This advantage would be possessed by the present ministry in a much greater degree than by the last. Whoever should be minister, let us have a permanent and stable government, which could maintain undissolved and indissoluble the union of the empire, and preserve unimpaired our constitution of King, Lords, and Commons—a government which, while it carried with a firm and steady hand necessary and judicious improvements into our various civil and ecclesiastical institutions, would also maintain order, and vindicate the authority of the laws, without which civil order could not exist, and no encouragement would remain for industry, no

protection for property, no safety for civil society.

Mr. Ewart, Lord Sandon's colleague in the representation of Liverpool, Mr. Grote, one of the members for London, Mr. Clay, one of the members for the Tower Hamlets, Sir Samuel Whalley, who had been returned for another of the metropolitan districts, Mr. Barron, Mr. Poulter, and Dr. Bowring, spoke in favour of the amendment, all of them insisting in varied phrase, that reform was endangered by the existence of the ministry, but not one of them stating distinctly what that reform was which they desired, and were convinced would be refused. Mr. Clay distinctly declared, that he considered those who had opposed the reform bill as lying for ever under a moral disqualification to bear office in the country, and he described the dismissal of the late government as the most unjustifiable exercise of the prerogative which had taken place since the Revolution. Some of them expressed their conviction that Sir Robert Peel, if he had been honest in his former opinions, which there was no reason to doubt, was bound to propose the repeal of the reform act. They argued, that there was no reason for giving the new ministry any trial, for none had been granted to Lord Melbourne; that the late cabinet had not been endangered by any intestine divisions, and though it had lost many of its original members, these losses had been gains. At all events the late ministry had not resigned. They had been dismissed, and it would have been but wise, constitutional, and decent to have waited till they were dismissed by their own act. The Parliament, too,

which had been dissolved, had given no substantial ground of distrust; it had represented the people of England more faithfully than any parliament which had ever sat; and there could be no conceivable cause for its dissolution, but a conviction that the policy of the new cabinet was to be different from the policy which that parliament had supported. On the other hand, Mr. Richards, Mr. Gladstone, Colonel Sibthorp, Lord Castlereagh, and other members spoke in favour of the address; insisting that the king, in getting rid of the late ministry had only exercised usefully and constitutionally an undoubted prerogative of the crown, that these ministers had come to be under the necessity of leaning for support on the party which advocated extension of the suffrage, short parliaments, and vote by ballot. Suppose the present ministry ejected, what was to follow? Was it to lead to the return to office of the late administration? If so, by whom would that administration be surrounded? Certainly not by what was now the ministerial side of the House, and by but a small portion even of the present opposition,—unless that administration should include men, or submit to the dictation of men, whom the people of England most assuredly were not prepared to receive for ministers. No one could say, that the individuals who composed the present government were not men of the highest honour and integrity; and as little would any one venture to question their talents. Before the reform act, it was manifestly the interest of the minister for the time being to conciliate the views and inclinations of the owners of boroughs; and did not the Whigs pursue that course to as great an

extent as the Tories? Under existing circumstances, it was evident that ministers for the time being would look to the interests, or the supposed interests, of the several constituencies; and although the present ministers had opposed the reform act, they would, now that it was the law of the land, consult the public interest, and that alone, in the measures which they might bring under the consideration of parliament. Henceforth no minister, be he of what party he might—except, perhaps, the Whig party, who in the construction or manufacture of the reform act, had taken care to give a preponderance to their own party in that House—could be insensible to the feelings and wishes of the people. Mr. Richards said, that, as a reformer, but not a revolutionist, he did not wish to see the Whigs carried back to power. They were a Janus-faced set, and could turn any way to suit their own convenience. During the two last sessions, when the Whigs were in possession of power, they dared—he used the word respectfully—to act in defiance of the wishes and feelings of the people, and by so doing alienated the good opinion of the House and the country. Although of late, owing probably to the sympathy which mankind felt for persons in misfortune, the late ministers had obtained a good deal of support, it was certain that when they were ministers of the crown, they acquired for themselves the dislike of the people of the country. It now suited the Whig party to talk loudly of reforms; but when they were in office, they talked as loudly against reforms as they now declaimed in their favour. Was it not notorious that, in the last parliament, they opposed in the most

strenuous manner many measures brought forward by reformers? Did they not oppose the motion for triennial Parliaments; the motion in favour of the ballot, and that for a revision of pensions and sinecures? Now they had joined the parties whom they before opposed, actuated, perhaps, by a desire to occupy the places of the ministers. Looking at the high character of the present ministers for talent and their undoubted integrity, considering that they had never shown a double face at any rate, knowing that they possessed the confidence of the crown and the aristocracy, though not that of the House of Commons to as great a degree as their predecessors, their interest as ministers required them to conciliate the favour of the House, and to grant to the country all measures of reform which could safely be conceded. The ministry must *ex necessitate rei*, grant measures of reform.

The first night's debate was closed with the speech of Sir Robert Peel himself, an address which had been expected with much anxiety, as this was the first opportunity which had been presented to him of explaining and defending before the country both his conduct in assuming the government, and the policy which that government intended to pursue. He first took up the question of the dismissal of the late government. Although he had not taken any part in procuring the removal of that government, and had not the means of communicating even with those with whom he now acted, and still less with the king, as to the propriety or policy of its dismissal, yet he did conceive that by accepting office he had become re-

sponsible for that act, and the whole weight of that responsibility he was willing and prepared to meet, be the majority against him what it might. He did not hesitate then to maintain that the dismissal of the late government was perfectly justifiable. In May, 1834, the government of lord Grey had lost those of its members in whom the country reposed the highest confidence. The secession of Lord Stanley, Sir James Graham, the Earl of Ripon, and the Duke of Richmond, undoubtedly had a material tendency to weaken the power of that government, and shake the public confidence in it; and lord Grey was so sensible of this, that he had formed the resolution of himself retiring from the administration. The government, however, went on; but, in a month, lord Grey and those immediately connected with him resigned. On that occasion his majesty had expressed an earnest wish that a government should be formed combining men of different parties, and lord Melbourne, by the king's desire, made a communication, with this view, to lord Stanley, to the duke of Wellington, and to himself. Lord Melbourne discouraged the plan, seeing no hope that it would end in a satisfactory result; and the other parties, to whom the suggestion was made, were just as little sanguine that an efficient and permanent administration could be formed at that period: but the transaction showed how deeply sensible his majesty was of the difficulties in which the country was involved, and how anxious to obviate them. The government was reconstructed under the auspices of lord Melbourne; but the consent of lord Althorp to continue Chancellor of the Exchequer with

the lead of the House of Commons, was the corner-stone on which that government was founded; and without that consent lord Melbourne would not have attempted to form an administration. The retirement of lord Grey, as his lordship had declared in his place in parliament, had been determined by the retirement of lord Althorp; and the Melbourne administration was founded on the basis that lord Althorp should return to office, and resume, contrary to his own declared wishes and intentions, the leadership of the House of Commons. The Melbourne government was thus constructed; but the session, though nearly at a close, did not terminate without a collision between the two Houses regarding the Irish Tithe Bill; and, under such circumstances, was it at all unnatural that his majesty should consider and determine the question, whether he should go on with the government then formed, or seek for an administration constructed on a new basis? Perhaps the Melbourne cabinet expected that they would be compensated for the opposition of the House of Lords, and for the loss of Earl Grey, Lord Stanley, Sir James Graham, the Earl of Ripon, the Duke of Richmond, and of those who retired with them, by receiving the consistent and unanimous support of those who held extreme opinions on popular questions; but so far were they from receiving this support, that it was to the series of attacks made from that quarter, after the resignation of Lord Grey, that the weakness of the government was to be ascribed. Sir Robert then quoted various passages from a printed letter of Mr. O'Connell, addressed in October, 1834, to Lord Duncannon as

home secretary, in which the writer poured the most unmingled abuse on the Whigs as a party, on the Melbourne ministry collectively, and on its principal members individually. It was there said, that four years of bitter experience had taught Ireland that "she had nothing to expect from the Whigs but insolent contempt, and malignant treacherous hostility; that Earl Grey had left to his successors the same proud and malignant hatred which he appeared to entertain towards the Irish nation;" that Lord John Russell "cherished feelings of a similar description;" "that every body knew that Lord Melbourne wanted sufficient powers of mind to comprehend the favourable opportunities afforded him to conciliate Ireland; that it was quite manifest that Lord Melbourne was utterly incompetent for the high office he held, and it was lamentable to think that the destinies of the Irish people should depend, in any degree, on so inefficient a person;" that "Lord Lansdowne, too, was hostile to Ireland, with a hatred the more active and persevering, because he was bound by every obligation to entertain diametrically opposite sentiments;" that the whole administration was "as deeply steeped in the old system of misgovernment as if they had never proclaimed liberal principles; that there must be a change of men before there could be any chance of a change of measures; and that Ireland should struggle unremittingly to procure a domestic legislature, where alone a sympathy between the Irish and their rulers could originate and be fostered." All this, continued Sir Robert, deliberately penned and given to the world by Mr.

O'Connell, demonstrated that it was impossible for the Melbourne administration to expect any assistance from Ireland which that gentleman could withhold from them. Thus, while the Melbourne administration, deprived of all those who had given weight or conciliated confidence to the reform ministry, and destitute of all influence in one branch of the legislature, was brought to depend in the other, on a particular section of politicians, that very section issued an open declaration of war against them. When, at the very time when matters stood thus, there further happened that occurrence which had led to the resignation of Lord Grey, and which would have prevented Lord Melbourne from forming a ministry at all, viz., the resignation of Lord Althorp, and his removal from the House of Commons, was it surprising or unreasonable that his majesty should doubt the propriety of allowing men so circumstanced to continue to hold the reins of government?

The next topic of accusation was, the assumption of unconstitutional power by the duke of Wellington, and that responsibility he was ready to share with his grace. That any one man should monopolize so many offices was said to be a grievous crime, and a dangerous precedent. His first answer to this would be, that this depended on the intention, and that there was nothing unconstitutional in the mere fact of a man holding two offices. The Duke of Wellington had held the offices of First Lord of the Treasury, and Secretary of State for the Home Department. In the latter of these capacities, he had the power of performing all the duties attached to the foreign or colonial office; the delivery of

the seals of the home-office, conferred on him the right of advising the crown regarding foreign and colonial matters, contracting, nevertheless, all the responsibility which might attach to such advice. There might be inconvenience in this, but it was not unconstitutional: the secretary of one department constantly acted for the secretary of another during intervals of recreation, or periods of sickness. In the times of Whig predominance, an instance had occurred of such an assumption of power to defeat the Jacobite party in furthering the views of the Pretender. Towards the close of queen Ann's reign, Lord Bolingbroke speculated on the assumption of supreme power, to facilitate his designs of constituting a government consonant to his own views, and endeavoured to employ for this purpose the last illness of the queen. But the Whigs were on the alert, and got the Duke of Shrewsbury vested, at one and the same time, with three of the greatest posts in the kingdom, Lord Treasurer, Lord Chamberlain, and Lord Lieutenant of Ireland. In the present instance, the assumption of power in question was necessary for the public service, and it was under this conviction that it had been done. The Duke of Wellington had not assumed the offices with the intention of arrogating to himself the supreme powers of the state, but for the express purpose of mere temporary occupation, that he might deliver them to another to be regularly disposed of. What dangers, then, could arise from the precedent of the Duke of Wellington having necessarily filled certain offices for a time, while waiting the arrival of the individual whom he had recommended as Prime Minister.

In his letter to Sir Robert, the Duke had stated that he had assumed these offices, because he thought it would be unfair to ask Sir Robert to undertake the management of an administration, the whole of which he had not been left to form, and because if other individuals had been appointed, the new minister might have been under the embarrassment of advising the king to remove them.

The dissolution of parliament, Sir Robert maintained to have been most proper, regular, and constitutional. On assuming the government, he had determined to leave no constitutional effort untried to enable him to discharge satisfactorily the trust reposed in him; and he did fear that if he had met the late parliament, which had so often declared its unbounded confidence in the late government, he should not find the same disposition to place confidence in the new administration. He, therefore, had made his appeal to higher authorities than those who had declared and boasted that his government could not call to a division more than 120 members, and who were determined to withhold from them a fair trial, and to extinguish them without a hearing. Whenever an extensive change of government had occurred, a dissolution of the parliament generally followed. In the year 1784, a change took place in the government, Mr. Pitt being appointed to the office of Prime Minister, and in the same year a dissolution took place. Again in 1806, when the administration of Lords Grey and Grenville was formed, the parliament, which had sat only four years, was shortly afterwards dissolved, and for a reason which he could not admit to be a good one,

viz., that a negotiation with France had failed. In 1807 another change took place in the government, by the accession of Mr. Perceval to power, and a dissolution immediately took place. In the year 1830, Earl Grey was called into office as prime minister, and shortly after the vote in committee on the reform bill, the parliament, which had been elected in 1830, was dissolved in 1831. Thus, in the three last extensive changes which had taken place in the government, those changes had been followed by a dissolution of the then existing parliament, and the present he believed to be the first occasion upon which the House of Commons had ever recorded its dissatisfaction at the exercise of the prerogative of dissolution.

Having disposed of these questions, Sir Robert proceeded to consider the great objection to his ministry, that he and those with whom he acted could not be trusted in office, because they had opposed the reform bill, and the reform administrations of Lord Grey and Lord Melbourne. He had never considered the reform bill to be a machine, the secret of which was only known to those by whom it had been constructed, or that its effect was to be the exclusion of any portion of the king's subjects from their monarch's service. The question of reform once settled, all Englishmen could have but one common object in view, whatever might be the principle and spirit of the reform bill; and he was not aware that any distinction could now be drawn between the supporters and the opponents of that measure, or that the latter were to be held as aliens to the country, strangers to her common interests, desirous of perpetuating for ever

their rule and domination. To say that he and his friends had opposed reforming ministers, implied that the House of Commons was divided into two parties, the advocates and the opponents of the reforming government. A reference to facts would show that such was not the case; on the contrary, he, an anti-reformer, had been the supporter of the government, and that it was the reformers themselves who had opposed them. In 1833, on the meeting of the Reformed Parliament, an amendment was moved on the address—the “bloody and brutal address.” The government resisted that amendment; he supported them, and was one of a very large majority. On the first reading of the disturbances (Ireland) bill, the government were opposed, though he supported them. Next came Mr. Attwood’s motion on the subject of the general distress; there he supported the government. So also on Mr. Harvey’s motion relative to the publication of the lists of divisions; on Mr. Grote’s motion upon the vote by ballot; and on Mr. Rippon’s motion for the exclusion of the bishops from the House of Lords. The government opposed also the repeal of the malt tax, and he had then lent them his assistance. On the motion for the alteration of the corn laws, and for a substitution of a property tax in lieu of the duties on malt; on the grant of money relief to the Irish clergy; on Mr. Tennyson’s motion for the repeal of the septennial act; on Mr. Harvey’s motion upon the pension list; on Sir William Ingilby’s resolution for the reduction of the malt duties; on Mr. Buckingham’s proposition relative to impressment; on Mr. Hume’s motion on the corn laws; on Lord

VOL. LXXVII.

Althorp’s proposition with respect to the church rates; on Mr. O’Connell’s motion for the repeal of the union—on every one of these occasions he had found himself in the closest connexion with the government, and lending them his most earnest and zealous assistance and support. It was true, however, that he had withdrawn from them on the question of the admission of Dissenters into the universities; and he had the misfortune to differ from them on the motion for a committee on Baron Smith. He voted also against them on the question of the Irish church temporalities, and against Lord Althorp’s proposition to make bank notes above the value of 5*l.* a legal tender.

But although he had thus supported the government on questions involving reform principles, if there were anything in the name, and although it was impossible to charge him with having been in constant opposition to the government, he would not stoop to gain support by delusive professions. It was plain that a great change had taken place with the passing of the reform bill; that there had been a complete revolution of power; and that necessarily there must be on the part of public men, who meant honestly by their country, a spirit of accommodation in their public course. He, however, could not say that he intended in power, or as a condition on which to retain power, to adopt any course differing in principle from that which he pursued when in the opposition. On questions in which he had opposed the late government, he intended still to maintain the principles which actuated that opposition—that was to say, that he did not mean to vote for a com-

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pulsory obligation on the universities to admit Dissenters within their walls, but would leave that question to be determined by the universities themselves. He also intended to maintain the same principles on which he had acted with reference to the church temporalities' bill, and he would not consent to the diversion of ecclesiastical property to other than ecclesiastical purposes. If he differed from the majority of the House, he regretted it: but upon two questions noticed in the speech he entertained deliberate opinions, and he was not inclined to sacrifice those opinions even to facilitate the adoption of his own policy. On the other question noticed in that speech he would act freely on his own principles, which had never led him to oppose salutary reforms. He was no apostate, he was not deviating from any principles which he had ever professed, when he now avowed that it was his intention to pursue in office the course which he had already pointed out. Among the questions which must be met, the first, in point of urgency, was that which related to tithes in Ireland. Government would propose a measure for its final and equitable adjustment. For the commutation of tithe in England and Wales government was also prepared to propose an adequate measure. For the administration of justice in ecclesiastical causes, government intended to propose a measure founded on the report of the commission, of which the member for Cumberland had been the chief promoter; a measure which would destroy all petty local ecclesiastical courts, and would appoint supreme courts for the cognizance of all ecclesiastical causes. Government also proposed

to make provision for the more effectual maintenance of ecclesiastical discipline—a provision which would enforce episcopal authority, not over the laity, but over the clergy, and would so check, if not entirely prevent, those cases of scandal which occasionally occurred, without meeting with punishment. Besides these reforms, Government intended to propose a measure which would relieve those who dissented from the church from the necessity of celebrating marriage according to its rites. He had been asked, “Was that all you intend to do for the Dissenters? You may relieve them from that grievance, but then you leave all their other grievances unredressed.” Now, he must remind such objectors that great importance had been attached by the Dissenters to the redress of this very grievance. The late ministry had failed before him; and the first point to which he had given his attention on his return to power was, how he could fulfil the expectations of the Dissenters on this subject most satisfactorily. It had been objected that there was no mention in the king's speech of any measure for establishing a general registry of births and deaths. That was a subject full of details; and it was not the practice of the Crown to indicate in the speech from the throne measures of such a nature until the details were all settled. Any measure for establishing a general registry of births would require long and mature deliberation, and he candidly confessed that he was not at present ready with any such measure. He had not, however, any objection to the principle of it. But we were apt to confound the advantages which arose out of the

despotic institutions of other countries with the customs which prevailed in our own free country. It was easy in Prussia or Austria, with their despotic institutions, to infix a penalty on any man who had a child born to him, and who did not register its birth within a given time. He doubted, however, whether such a regulation would be at once practicable and satisfactory in this country. At any rate, such a measure, if it were connected with such an obligation and such a penalty, would require mature consideration. Then, he was told that on the subject of municipal corporations the speech was still more vague and inconclusive. On that point he would appeal to the fairness of the House. A committee was appointed by that House to inquire into the state of municipal corporations. That committee, of which their present Speaker was chairman, made certain inquiries. It found that it had not sufficient powers to conduct the inquiry satisfactorily, and it recommended the appointment of a commission. On his appointment to office, a friend of his, to enable the government to consider their report, to weigh the evidence which they had collected, and to examine the suggestions which they had proposed, wrote to the municipal commissioners for the information which they had compiled. The answer of the commissioners, dated the 27th of January, 1835, stated that their inquiries were now complete; that 293 municipal corporations had been visited by them; that 241 reports had been sent in; that 182 had been printed; but that the remainder of them were at that time unfinished. The commissioners further declared that they could

not state when their general report would be ready, but they expressed a hope that it would be finished in the month of February. They likewise declared that it was not their intention to present a report on any general branch of the subject, unless they were specifically required so to do. Under such circumstances, it would have been contrary not only to the practice usually adopted in such cases, but also to all the rules of decorum, if the government had indicated in the king's speech any definite measure of municipal reform. What would be the use of that commission, if, in the very month in which it proposed to produce its report, government, without even waiting to look at it, came forward with a measure of its own? It had been asked whether ministers intended to give the ten pounders, as they were called, the power of electing to all offices in corporations? He would reply, that until he had an opportunity of reading the report, and the evidence on which it was founded, it would be inconsistent with his duty to pledge himself as to what he would do upon any given point. If they asked him whether he had any conceivable interest in maintaining the abuses of corporations, or any prejudice in their favour, he would reply at once that he had no such interest, and no prejudice that would prevent him from giving a fair consideration to any plan for their amelioration. He would give a pledge that he would adopt the opinion expressed on the subject of municipal corporations in the speech from the throne in the commencement of the session of 1832, when Earl Grey was Premier. "Many other important subjects will still call for your most

attentive consideration. The reports which I will order to be laid before you from the commissioners appointed to inquire into the state of municipal corporations, into the administration and effect of the poor laws, and into ecclesiastical revenues and patronage in England and Wales, cannot fail to afford you much useful information, by which you will be enabled to judge of the nature and extent of any existing defects and abuses, and in what manner the necessary corrections may, in due season, be safely and beneficially applied." That was the speech of earl Grey when he was in no more possession of the evidence on the subject than he (sir R. Peel) was at that moment. He was not prepared to name any definite measure on the subject, but he would give to the suggestions of the commissioners every fair consideration in his power, and he had no objection at that moment to use respecting them the language which he had just quoted from earl Grey. But to conciliate a vote on this occasion, he would not do that which was not only contrary to all usage, but also to his sense of what was morally right. Next came the question of church-rates. It was well known that he had supported the measure brought in by the late government for the transfer of the church-rates to the land-tax, and which had met with great opposition from the Dissenters. He could not agree to the extinction of church-rates. He thought that there was an obligation on the state to provide for the repair of churches, but he also thought that the charge of providing for that repair bore unfairly on the land; and it was that subject he had in view, when he spoke in the king's

speech of devising "a method for mitigating the pressure of those local charges which bear heavily on the owners and occupiers of land, and for distributing the burden of them more equally over other descriptions of property." An unfortunate interpretation had been put upon that paragraph which he by no means intended. No new mode of general taxation was meant by it. It had a special reference to the report of the committee of last session on county-rates, and to the relief of the agricultural interest from certain local burdens, of which the church-rate was there mentioned as one. His willingness to improve safely, where improvement was necessary, was moreover proved by the appointment of the ecclesiastical commission, which was already in activity. The subject, into which that commission had to inquire, was extensive and complicated, and he could not promise the House to bring forward a measure upon it at an early period. He would, however, tell the House what he had already done. On the vacancy of the first of those appointments in the church which were usually called—he would not say rightly or wrongly—sinecures, he had advised the Crown to make no appointment to it, but to allow all the circumstances connected with it to be considered by the church commission. This appointment was a prebendal stall at Westminster of the value of 1,200*l.* a-year. He meant to take the same course on every other ecclesiastical benefice of the same class that might fall vacant. He would not fill them up for the mere sake of patronage, but would refer them to the consideration of the commission. It had been found that, in the neighbourhood of Westmins-

ter Abbey, dependent on its chapter, were two parishes, St. Margaret and St. John, with a population of 150,000 souls. In the first-named parish there were 28,000, and only one church; and it was an evident fact, that one minister must be inadequate to the due discharge of the duties of such a parish. The government had advised the commission to attach the vacant stall to that living, making it a condition that additional spiritual instruction should be provided for the parishioners. There was no house belonging to the minister of St. Margaret's. It was not a rectory, nor yet a vicarage. The prebendal house, therefore, had been made the vicarial house of the parish. This was the course which, on a future similar occasion, government intended to pursue with regard to St. John's parish; and he hoped that, if any delay should occur in calling for legislative interference on this point, it would not be supposed that that delay was intended to defeat the object of the commission, but that it would be taken for granted that it was wanted for deliberate consideration. These were the principles of the government; these were the measures indicated in the speech from the throne; and what was the amendment? It indicated no objection. It indicated no measure, it advanced no principle, it only stated the hope of the House that the same principle, which restored to the people the right of choosing their representatives, and which caused the bill to pass for the abolition of slavery, would be seen in the promised church reform, and would place our municipal corporations under vigilant popular control. To an amendment like this it would be no an-

swer for him to say that he intended to let the 10*l*. householders vote in corporations. Was it not, therefore, evident that the amendment was proposed with some other view than its professed one—that its friends were afraid to recognise in it those measures in the spirit of the reform bill, on which they knew that a difference of opinion existed among their own party? Why had they not inserted a word about the ballot? Why not a word about the repeal of the septennial act? Why not a word about the repeal of the union? They knew that on all those measures which had occupied public attention, as springing out of the reform bill, there was not one on which they could express unity of sentiment. No, they had to go back a distance of two years, to the time when all their party was united on the question of the abolition of slavery, and on the reform bill; and they had to merge all their bitter differences on the ballot, the septennial bill, and the extension of the suffrage, which raged at present, for the purpose of dwelling with regret on the harmony which had prevailed among them some years ago. The time of their union and sympathy was even now once more gone by. On that very evening, from ten different quarters, had notices been given of motions for carrying further the principles of the reform bill; but they shrunk from expressing in the amendment, any opinion on those motions, because they knew that this would lead to an open rupture amongst them. The amendment was proposed for the sake of involving in difficulty those who had concurred in supporting the reform bill and the bill for the abolition of slavery; it was hoped

that they might be caught in the trap of compliment to measures in which they concurred, and of which they were the most prominent promoters. They knew that this amendment was an unnecessary eulogium on the reform bill and the act for slave emancipation. If he was asked whether he recognized those measures as measures which he should now support? he answered plainly—yes. But if they asked him further, if he meant to act on the principles involved in them?—he would refer to their party struggles of the last two years, and would say that he did not know what those principles meant. He knew not what was meant by the phrase “remove all the undoubted grievances of the protestant dissenters.” Was that intended to exclude the grievances of the Roman Catholics? If so, his measure of relief went far beyond that of the framers of the amendment. As to that part of the amendment which spoke of correcting those abuses in the church which impaired its efficiency in England, disturbed the peace of society in Ireland, and lowered the character of the establishment in both countries, notice had been given of a direct motion on the subject. The words implied that the church of Ireland disturbed the peace of Ireland. Now, that great question ought not to be disposed of by general resolutions. He feared the impossibility of constructing a government which could have stronger claims on the confidence of the public than the present. Indeed, no other government could be formed, without a selection of individuals from each of those numerous parties, which, though they were now acting in concert, had been but a few short

months ago, and might be in a few short weeks again, in bitter hostility to each other. And how could they unite? Mr. O’Connell had stated on one occasion, that no consideration would induce him to accept office under any administration which would not entertain the question of the repeal of the union; and yet that was a subject to which the immense majority of those with whom Mr. O’Connell was now acting were pledged not to listen. A government containing lord Grey, or lord Stanley, and their friends, could not act in unison with these other parties now combined; and if a ministry were formed to the exclusion of those who thought with earl Grey or lord Stanley, could it be expected to possess that share of public confidence which a government ought to have? They might, perhaps, prevail for a time by physical force, but, after a brief space, they themselves would be the first victims to fall. “Under these circumstances,” sir Robert concluded, “I feel it to be my first and paramount duty to stand by those trusts which have been confided to me, and to call upon the House to wait, until it see the measures which the government is about to propose. I offer to you measures of reform, ecclesiastical and civil. I offer you the settlement of the tithe question in Ireland — the commutation of tithes in England and Wales. I offer you reform of all proved abuses in the church. I offer you the redress of grievances complained of by the dissenters, as far as they relate to marriages and other important points. I offer you the prospect of continued peace. You may disregard my offers, and take those of

“others ; but mine would have this
“advantage—that they would be
“more likely to be successful than
“others, and that I could act, I
“hope successfully, as the media-
“tor and restorer of harmony be-
“tween the two Houses. You may
“form other alliances, or connect
“yourselves with different ex-
“tremes of parties ; but the time
“will come when popular excite-

“ment will abate, and when you
“will have nothing left but to
“lean for support on those who
“have gone on calmly and quietly
“—when, in short, you will have
“no alternative but to leave the
“government in our hands, or to
“resort to measures of coercive
“violence, which will render re-
“form inefficient, and seal the fate
“of the British constitution.”

CHAP. IV.

Continuation of the Debate on the Address—Speeches of Mr. Robinson—Mr. Ward—Lord Stanley supports the Address—Speech of Lord John Russell for the Amendment—Speeches of Mr. Goulburn—Lord Dudley Stuart, Mr. Serjeant Goulburn, and other Members—Lord Howick supports the Amendment, but in the hope that, though it should be carried, Ministers will not resign—Speech of Sir James Graham for the Address, and Mr. O'Connell for the Amendment—The Amendment is carried by a majority of seven—Discussion on the bringing up of the Report—Speech of Mr. Tennant—The King's answer to the Address.

ON the second night, February 25th, the adjourned debate was opened by Mr. George Robinson, a reforming Whig, who expressed his intention of voting for the address, because he did not think it becoming in independent men to refuse the existing government a fair trial, and because he did not see how, if it were dismissed, a useful and stable government could be formed; for it was notorious, that the object of the amendment was not merely to supply supposed deficiencies in the address, but to destroy the present government before it was tried. Though it might be possible to form a ministry out of the opposition, still there existed in that party so many elements of discord, as would render it impossible for them to construct a ministry capable of conducting advantageously the business of the country. The only safe and patriotic course,

therefore, was to give the new government an opportunity of bringing forward those specific measures of reform, which sir Robert Peel had stated himself willing to propose. That would be an important point gained for the country; for it would break down the party barriers which at present prevented men of equal talent and virtue from coalescing for the advantage of their common country. He was afraid that the difficulties, which Sir Robert Peel would have to encounter, would be found insurmountable; but, if he were turned out, would the difficulties of the opposition be less formidable? Their bond of union would be dissolved by the dissolution of the present ministry, and the elements of discord and confusion would so embarrass the new government, that no good, useful, practical, measure could be carried through parliament. The question was treated

as one of "reform or no reform;" and therefore it was said to be the duty of every man who called himself a reformer to turn out the present government on account of their former antipathy to reform. If he thought so, he would gladly join in the attempt to eject them; though even then he would prefer the more manly mode of proceeding by a direct vote of censure to such an expedient as this amendment. It was not, however, a question of reform or no reform. That question had already been decided by the reform act, which had placed in the hands of the constituency that degree of power, which rendered it certain that, no matter in whose hands the government was, no abuse stamped with public reprobation could hereafter be maintained. Hence, too, the absurdity of saying that because sir Robert Peel and his friends had opposed reform under different circumstances, they were to be treated as apostates, if they ventured now to bring forward measures of reform under the present state of things and parties in this country. The true constitutional doctrine was, that the ministers of the Crown must be influenced to a certain extent by public opinion, and that, whatever the private opinions of those ministers might be, as in the case of Catholic emancipation, and the repeal of the corporation and test acts, they must, to a certain extent, yield them, if there was nothing inconsistent with their character or duty in doing so, looking at the state of the country and the condition of parliament. He would rather see the cause of reform safely and steadily advancing with the consent of those who had formerly been its adversaries, than see measures of reform forced

upon the country, before the country was ripe to receive them. The results of the general election had proved that this was the state of public opinion. He would say nothing of the counties, because in them pecuniary motives had great weight; but could any fair man deny, that in cities and boroughs the electors were fairly divided between the present ministers and their opponents? Liverpool had returned the mover of the address and another member of politics diametrically different. Bristol, another great seaport, had returned, if not two, certainly one member friendly to the present government. At Halifax, a newly created borough, the balance of opinion was so close that a ministerial representative was elected, though, he believed, by a majority of only one. The result of the late election had proved two things; it had proved that the country was determined to have those reforms effected, which the lapse of time had rendered necessary for the perfection of its institutions, and it had also proved that the sense of the country was directly opposed to those rash measures of innovation, which a certain party in that House had endeavoured to force upon the late government, and which had mainly tended to the subversion of that government. He would vote for the address because, looking at the peculiar difficulties of the country with reference to the state of parties, which were at present nicely balanced, he hardly knew how any government could conduct public affairs, if each party pushed its principles to the uttermost, and did not merge their differences in the common advantage of the country. Were they to embark during another session of

parliament in that bitter opposition of party, which disabled them from duly considering those subjects which required their immediate attention?

Mr. Ward denied that the opposition ought to be accused of factious conduct, for it was an opposition founded on principle. The differences of opinion between the two parties might be divided into three points. The first point involved the admission of Dissenters into the universities. Sir Robert Peel held that the legislature had no right to enforce this admission. Though he admitted that it was a practical grievance which, to a certain extent, he was prepared to remedy,—he did not recognize the great principle from which redress ought to flow, viz., that admission to national seminaries for national education should have no reference to religious sects or opinions; and his only measure of relief seemed to be, an arrangement to be effected elsewhere with respect to admission to the learned professions. The second point of difference was, the subject of municipal corporations. Nothing, he admitted, could be fairer than the statement of the minister, that he waited for the report of the commissioners of inquiry before pledging himself to any specific measure. There was reason in this; but was it not notorious, that the leading evils of the existing municipal system were the vices of total irresponsibility and the want of popular election, both of which might have been removed without waiting for the report? The corporations, as they now existed, were the strongholds of the conservative interest; and sir Robert Peel would not be able to lead the main body of that party to destroy their own fortresses, in

which, on a future occasion, they contemplated taking refuge. The third point of difference was the question of ecclesiastical reform, particularly in Ireland. The minister, it was true, had admitted the principle of the re-distribution of church-property; and, in England, this might satisfy the honest church reformer, especially if accompanied with a greater equalization of the bishopricks, the enforcement of residence, and other similar measures. But such a reform would not satisfy the people of Ireland; it was impossible by any mode of re-distribution to reconcile the Catholic population of that country to a system which was daily becoming more hateful to them, and under which no government could long exist. Holding these opinions, he could not but oppose a minister who had declared that he would not give his consent to the alienation of church-property in any part of the United Kingdom. Let the present ministry even now declare their intention to settle the question of the Irish church, and they would have his support.

Lord Stanley said, that in the present state of political affairs, and with the present prospects of the country, it became his bounden duty as an honourable man, anxiously desiring to promote the welfare of the country, and to do justice to his own principles of reform, to oppose the amendment; and, in saying so, he spoke not his own sentiments alone, but the opinion of a body of gentlemen, neither in significant in rank and standing, nor unimportant in point of numbers in that House, who, being bent on a steady adherence to sound principles of reform, were determined to work out those principles

by adequate means, but who, at the same time, were equally resolved not to effect them by any party course of proceeding, but only by such measures as they might deem safest to the country, and most conducive to the end they had in view. He agreed, that the present advisers of his majesty were responsible for the dissolution of the late government, and that it was the right and privilege of the House of Commons, if it thought fit, to express its opinion, and even to offer advice to the sovereign, as to the exercise which at any time he might make of his undoubted prerogative to choose the ministers of the Crown. He agreed also with what had been said against the extraordinary concentration of power in the hands of one individual, and that the fact of there having been no abuse in this case, was not in itself a justification of the proceeding. But, looking at the circumstances in which the country was placed, he did not wish further observations to be made, or other steps to be taken, in reference to the subject, except that the House should be understood to entertain a feeling of disapprobation and dislike that such an assumption of power should be drawn into a precedent; nay, he was perfectly willing to admit, that such a step ought not to have been taken without some strong ground of necessity. Farther, if the amendment had trenched on municipal reform alone, he would have found great difficulty in opposing it; for neither the speech from the throne, nor the speech of sir R. Peel, had been so explicit on that subject as he could have wished. The latter might, no doubt, feel himself precluded by prudential considerations from stating fully what were to be the

details of the ministerial measures; but the country had already made up its mind, that the spirit and principle of corporate reform must be the same, which had already been applied to the representation in parliament. He did not go the length of thinking that, in English corporate reform, the House, in order to be consistent, must introduce all the details of the Scotch measure of reform. He did not wish to tie up the ministers in this way; but while he waited with anxiety for the measures which the government (after a reasonable time allowed) might be expected to bring forward on the subject, the present omission of something specific on the point would induce him to look at them with greater jealousy. But still he could not consent to condemn the measures of the administration, till he had seen what they were. An assent to the address did not imply the negative of what had been omitted in the speech from the throne, or pledge any man to the details of the measures which it mentioned. That speech set forth several measures of sound and substantial reform. On the one hand, he would wait with patience and forbearance to see how this promise would be carried into effect; while, on the other, he was compelled to say, the composition of the ministry was such, that he could not place confidence in it, though probably he should be the last man to quarrel with its composition, as he might have contributed in some degree to produce it. He could look on the amendment in no other way than as being intended to overthrow the government, or to obtain a majority against them, without meaning to follow up the victory; and neither of these courses could he pursue

consistently with his feeling of what was right.

There were, likewise, expressions in the amendment itself with which he could not agree. It contained an expression of opinion on the dissolution of the late parliament; but had they the materials on which to found such an opinion? Did they know all the circumstances which led to the dissolution? Were they aware of all the communications between his majesty and the various members of lord Melbourne's government, when his lordship accepted office—all the conversations that took place at the period of his removal? Whether the late dissolution of Parliament was wise or prudent, necessary or unnecessary, he objected to prejudging the question by way of amendment to the address, and to the opinion contained in the amendment, that the dissolution endangered the safety of the spirit or principle of reform. If that were so, the reform bill had failed. If those who advocated the reform bill thought that the spirit of reform had been so weakened by an appeal to the constituent body as to endanger the safety of the measures referred to, his respect for the reform bill, and the constituency which it had called into action, was such, that he would rather ascribe the circumstance to a doubt in the minds of that constituency as to the measures being salutary, than to any other cause. He felt perfectly satisfied that no government could resist, and nothing could endanger, the course of rational and temperate reform. Mr. Ward had expressed a wish that the amendment had stated a little more distinctly in what the reform of the Irish church ought to consist? Why did it not? Could

those who thought with that gentleman not suppose that there were some who, wishing to introduce reforms into the church of Ireland, objected to going the same lengths as himself? Yet he called upon the House to support an amendment which he admitted to be ambiguous, but which he might afterwards use for the purpose of saying, when he brought forward his motion, "The House has confirmed my view of the case, and sanctioned my principle already by its vote on the address." This was not dealing fairly by the question, which was much too large and important to be thus disposed of. But the speech itself promised that measures should be submitted to the consideration of the House, and then they would be enabled to decide whether the proposed reforms were of a substantial or illusory character; whether or not they were calculated to afford an actual corrective for the abuses of the church in Ireland and England. The amendment proposed that the House should declare its readiness "to remove all those undoubted abuses in the church which disturb the peace of society in Ireland;" but sir R. Peel had already pointed out the ambiguity of that phrase, and he had not as yet been answered. What were the abuses in the church of Ireland, which disturbed the peace of society? Did this phrase refer to the system under which the clergy were at present paid, or to the existence of the Protestant establishment in the country? Some would refer this sentence of the amendment to the latter point, and not merely to the tithe question; but he would tell them, that it was the tithe question alone which disturbed the peace of Ireland; and though the

other question might indeed excite irritation and discontent it was the tithe question which demanded a speedy remedy. The existence of the Protestant church was a separate question to be separately considered; and he, for one, would never consent to any measure having a tendency to impair, overthrow, or diminish that church. He would vote, therefore, for the rejection of the amendment, which, while it contained much that he approved, had also much that he considered objectionable, and something that, in his judgment, was neither safe nor reasonable. It pledged the House on questions in relation to which they had not the means of judging, in the absence of necessary information; and it also had a tendency to produce, under present circumstances, effects disastrous to the country, and fatal to the cause of steady and constitutional reform, by the sudden and immediate overthrow of the existing administration. He felt himself bound in honour and justice to wait till he saw the measures proposed by his majesty's government, and to assent to the address, shadowing out as it did, less distinctly indeed than he could desire, sentiments that he should have wished to see more boldly announced, but certainly containing much which met his approbation, and which he was desirous of affording an opportunity to ministers to complete.

Dr. Lushington maintained that, notwithstanding the loss of earl Grey, the removal of lord Althorp from the House of Commons, and the denunciation of the Whigs by Mr. O'Connell, means might still have been found to support the Melbourne administration; and no adequate ground

had been stated for its dismissal. He proceeded to censure the union of all the power of the state in the hands of the duke of Wellington alone, and asked if there was no man of weight and ability to propose a resolution of the House, that this should not hereafter be drawn into a precedent. He avowed himself to be a party man, and expected always to continue a party man, and there was no inconsistency in his joining with others from whom he might differ in some important points. If an opinion prevailed that the country had arrived at a great crisis, and that the existing administration was not calculated to advance the great interests of the state, the persons entertaining that opinion were justified in uniting for the purpose of obtaining an administration which they considered better. He could not separate the present administration from that of 1829. The substitution of earl de Grey for lord Melville, and Mr. Dawson for Mr. Croker, would not prevent him from thinking the existing government identical with that of 1829. How could he trust the present members to make reforms, who for years had it in their power to effect reforms when they were equally necessary and desirable, and yet abstained from doing so? Was not the church of Ireland in a worse state, when the present ministers were before in office than it was now? Did not abuses in the church of England then prevail? Were corporations more pure between 1820 and 1830 than they were now? Under such circumstances was a single measure adopted by the Tory ministry, which entitled them to the character of reformers? The head of

the government, in order to induce the House to regard his administration with a favourable eye, said, "We are supported by the House of Lords, who will receive at our hands those measures of reform, which, when proffered by you, would meet with a haughty rejection." Was this not telling the country that henceforth it was not the people of England, it was not the House of Commons, who were to stamp with their approbation, the selection made by the Crown in the exercise of its prerogative, but that that administration, which could command a majority of the House of Lords, must rule the country? It was a declaration that a party, despite the sense of the people, despite the majority of the House of Commons, would continue to carry on the government.

On the other side, Mr. Praed denied that sir Robert Peel, setting aside organic changes in that House, had been an opponent of reform. On the contrary, he had proved himself to be a zealous promoter of reform in the civil, judicial, and financial departments of the state; and for these reasons he believed that the professions contained in the address would be carried into effect. He thought it singular that, while members were declaiming against what they called the unconstitutional and unprecedented assumption of power by the Duke of Wellington, they should have forgotten that, in 1827, when Mr. Canning accepted the office of First Lord of the Treasury, he retained in his hands for the space of twenty-one days the offices of three of the Secretaries of State. This assumption of power did not elicit a single remark from those who were now so loud in condemning a

similar proceeding on the part of the Duke of Wellington. It should be recollected, also, that the concentration of those offices in the person of his grace was expected to be of shorter duration than it was, because it was anticipated that his right hon. friend would return to England sooner than he did. The dissolution of the late Parliament had been greatly censured; but, though much was now said of the merits of that Parliament and of the merits of the late administration, the House surely could not forget the terms of reprobation in which both had been spoken of during their existence by those who at present stood forward as their panegyrists. In the course of the debate on a motion for the shortening of the duration of Parliaments, the member for Westminster (Colonel Evans) inquired whether the members of that House really believed that they had eminently or usefully distinguished themselves in the public service during the two last sessions; and, after enumerating the acts passed in that period, proceeded to ask, whether members, if sent back to their constituents, could expect again to be returned to that House? The member for Tipperary (Mr. Sheil) also, having alluded to particular instances of delinquency of which the late Parliament had been guilty, argued that the duration of Parliaments ought to be abridged, on the special ground that the existence of the late Parliament ought to be brought to a speedy close, and declared that he was willing to let the fate of the important motion for the shortening the duration of Parliaments rest on the question—whether or not the

then existing Parliament ought to exist for six years longer. He could not, therefore, understand on what ground the advocates of short Parliaments found fault with the dissolution of the late House of Commons, which had already sat the average time which their favourite triennial measure would allow for the duration of a Parliament. The expediency of a new election could not, most assuredly, be doubted by the member for Dublin; for he had himself declared that he supported the motion for abridging the duration of Parliaments, because "short reckonings made long friends." Other considerations rendered the dissolution of the late Parliament an expedient measure. It had been elected when the fever and excitement consequent on the triumph of the reform bill had not ceased, and many of the new constituencies returned representatives, not so much on public grounds as from a feeling of gratitude towards those who had been instrumental in conferring on them the elective franchise. In the course of his canvass of a borough, the constituency of which consisted of 10% householders and members of a close corporation, he was told, even during the last election, by some of the 10% voters — "We agree with you in political sentiments, but we obtained our right to vote by the exertions of our present members, and therefore, as long as they choose to come forward, we will support them." This showed the feeling which influenced the return of many members to the late Parliament. Was not the dissolution justified by its result? The general election had taken place under the influence of no excitement, but in a time of perfect

tranquillity; and what had been the consequence? Would the members who boasted that the ministerial party were in a minority, admit that the present House of Commons fully and fairly represented the people? If they did, then was the dissolution justified; and the fact established that the late House of Commons did not fully and fairly represent the people. He had been told that there were about 100 gentlemen in the House who had never been elected before, and about 200 who had not sat in the last Parliament; and he also believed that the Conservative party had increased its force in the proportion of two to one. If this were the case, how could it be said that his majesty was not justified in recurring to the sense of the people, when they, in a period of perfect tranquillity, had returned a House of Commons differing so materially from the former?

Mr. Sheil and Mr. Grattan opposed the address almost exclusively on the ground that it held out no hope of the settlement of the Irish church question, by which they meant the appropriation of its revenues to purposes other than the support of the protestant church. Mr. Sheil stated, that this, after all, was the question on which he and the present administration differed, and that the administration of lord Melbourne had been formed, after getting rid of earl Grey, and lord Stanley and his friends, on the very principle of effecting a new application of what were termed the surplus revenues of that church.

Colonel Chatterton and colonel Perceval having spoken against the amendment, lord John Russell addressed the House. His lordship first adverted to charges

which, he said, had been made against the late government, as justifying its dismissal, and all of which he declared to be unfounded. He said that when lord Althorp was removed to the Upper House by the death of earl Spencer, lord Melbourne declared that he could carry on the government on the same principles on which it had been formed, if he had his majesty's permission to fill up the vacancies that were produced. Why that permission was not given and the government was dissolved, were matters for which he thought the duke of Wellington and sir R. Peel were responsible. It had been stated over and over again, that he had a difference with his colleagues upon certain matters, and particularly that he had in contemplation a plan to deprive the Protestants in Ireland in certain parishes of the assistance of a Protestant minister; that the Protestant ministers were in certain cases to be dismissed, and those churches razed to the ground, and that lord Melbourne differed from that plan. The whole of this was a mere fable. With respect to what was to be done with the Irish church, it was conceived to be necessary to bring the whole before parliament; but the individual, to whom it belonged to prepare the statement, was lord Duncannon, secretary for the home department. The papers were before him during the recess, and not one of those papers had he (lord J. Russell) seen, until after they were printed. Without stating the details of any plan or specific proposition, he might safely declare that the principle on which they were all agreed was this,—that the funds of the Protestant church ought in the first place to be applied in religious in-

struction to the Protestant population; and when that object had been carefully and fully provided for, it would be lawful, politic, and just, for the legislature to apply any surplus which might accrue to the general education of the people, including Churchmen, Roman Catholics and Dissenters. What would have been the plan proposed to parliament, it would be impossible now to say; because the late government maintained, and in his opinion truly, that they should not affirm a proposition and bring forward a measure for the sanction of parliament, until, by means of the commission which they had issued, all the facts had been properly obtained on which they were to legislate. But although it would be extremely rash, hasty, and improper, to produce a measure to parliament, before being fully apprised of the facts of the case, yet on so important a subject the use of a commission was, to enable government, first stating their broad general principles, to apply those principles correctly and accurately to the details. Admitting, then, the prerogative of the king to dismiss his ministers and dissolve parliament, was there ever an example of the exercise of that prerogative for which so little reason had been shown? It certainly was not because the House of Commons distrusted the ministry; for their opponents could not have reckoned on the support of more than 130 members. Had any war broken out all of a sudden? Was commerce declining? Was the internal state of the country disturbed? Or had any other extraordinary circumstance occurred to render it necessary to resort to such measures? Why, the king's speech falsified the whole of such pre-

tences—one half of it being filled with testimonies to the excellence and success of the measures of the late government, the prosperity of manufactures, and the general good order and tranquillity of society when they left office; and the other half containing recommendations of measures which were parcel of those which that very ministry were prepared, though more extensively, to carry into effect.

The dissolution of parliament, his lordship continued, was equally unsupported by any good reason; and if the House refused to express its opinion of the dissolution, it would leave the late parliament labouring under that mark of the royal displeasure. It had been said, that it was quite usual for a new minister to dissolve the parliament; but he believed there had scarcely ever been an instance in which that had been done, before due trial of the existing House had been made. Even in the celebrated instance of 1784, Mr. Pitt had met with what certainly might have been justly called a factious opposition, by thwarting and delaying the necessary business of the country; after a long previous trial, he found it necessary to resort to the sense of the country, in order to see whether it would sanction his principles of government; and in other instances the same line of conduct had been pursued. Why was not the late parliament called together, and why were not the measures and intentions of the new government stated to them? If that parliament approving the projects of the minister, supported him, good and well; if they opposed him factiously, against the opinion of the country, he might have safely dissolved it; but if he felt convinced that the sense of the country went

with that House of Commons, they should have been spared the disturbances which had since taken place, and the difficulties in which they were now involved.

As to the proposed measures of government, there were some principles in which he thought they must fall short. He did not think it would be possible to stand on that ground which had been taken up, of not applying to purposes which might be for the general benefit of the poor in Ireland the funds properly given for religious instruction. With respect to one other subject mentioned in the amendment—corporations, it was necessary that some rule should be declared by which the country might know that they were going to apply the principle of popular control and vigilant superintendence to those funds which had so long been mismanaged. If he was asked to place confidence in the minister with respect to that subject, he must declare that it was out of his power to do so, when he thought of those with whom he had allied himself. It had been urged, that under the present administration measures proposed in that House were likely to be carried without difficulty in the other House of Parliament. Now, there arose from this a very natural question—are the measures to be similar, or are they to be different? If similar, were they then to be told that the House of Lords would not agree to reform measures, unless they saw in office a ministry of their own selection? But if the measures were to be different, if they were to be less effective measures of reform, were they then to be told that they must yield to the House of Lords with respect to the measures, and admit that what

they considered necessary could not be proposed in that House? He had been always against attacks on the House of Lords; his own opinion being, that, if measures which had the cordial concurrence of the Commons were sent up to that House, they might be rejected once—possibly twice, but that the House of Lords would yield to what was the clearly expressed and temperate sense of the people of this country. In thinking thus, he paid a tribute to the wisdom and patriotism of their lordships. He wished them to have their due place in the constitution; but he could never allow that the power over the House of Commons, which belonged to them indirectly before the reform bill, should be restored to them in the way it was now attempted to be done. If the House of Commons meant to begin with reform where it had been left off at the close of the last session of parliament,—if it contemplated that the prerogative, the exercise of which removed one administration and appointed another—that ever exerciseable prerogative which had discharged one House of Commons and called together another, did not intend to deprive the people of those reforms which the late ministers and the House of Commons had effected; he would say, let the additions now proposed be appended to the address.

Mr. Goulburn, the new secretary of state for the Home Department, argued that on the very point which lord John Russell considered the most important, viz., the revenues of the Irish church, it was impossible that the Melbourne cabinet could have stood, if the recorded opinions of its members were to be trusted. If they referred to the declared opinions of

the government in both Houses of Parliament, when the Irish church commission was issued, it would be found that not unimportant members of that administration particularly guarded themselves on that point. Lord Lansdowne had distinctly said, that he had laid down no principle of appropriation—and, when speaking on that subject, observed, “that much had been said on the subject of the appropriation of surplus revenue, and he must be allowed to say that it was prematurely jumping to a conclusion, to assume that there would be any surplus revenue whatever; but even if there were a surplus, he should never be a party to any appropriation thereof to purposes not analogous to those for which the property of the church was originally assigned.” These were the opinions of the noble marquis—he was not found to promulgate any such doctrines as those that night advocated by the leader of the opposition. The late lord chancellor, too, who had always professed himself devoted to the interest of the great body of the community, especially in so far as the extension of education was concerned, not in a casual speech, but after much deliberation, when he rose at the latter end of a debate to guard against the possibility of mis-representation, stated, that he would not allow a farthing of the revenues of the church, let the surplus be what it might, to be applied to other than ecclesiastical purposes. To provide for the adequate maintenance of the church would be with him the primary consideration; the second, to afford the benefits of education to the people on the principles of the established church. How could any one pretend to say, in the face of these declarations, that it was an

administration prepared to apply those revenues to other than ecclesiastical and Protestant purposes? Surely there was no man in the possession of his understanding who would for a moment attempt to say, that the speeches of the two noble lords, to whose sentiments he had been calling the attention of the House, did not utterly destroy the elements of strength which the government of lord Melbourne was assumed to possess. Nothing could be more evident than that the cabinet was divided by a difference which nothing could reconcile, and which placed it in a situation of weakness and incompetency. It was absolutely certain that, in any discussion which might arise in parliament, the members of that administration must have abandoned either their principles or each other. In regard to municipal corporations it was bearing rather hard on the present ministers of the crown for a member of the late government to condemn them for not being more explicit, for not going further into detail on the subject of a commission issued by their predecessors and of which the report had not yet been made. When the noble lord opposite had to oppose the government, he thought it absolutely necessary that immediate and detailed communications should be made to the House of Commons, without waiting for the report of the commissioners; but when in office, he pursued precisely that course which he censured in the present ministry. So far as the subject was introduced into the speech, such introduction did by no means and in no degree pledge those who were responsible for that speech against the adoption of any measures whatever. Speaking for

himself, and he felt assured he might say the same for his colleagues, he felt no hostility to the reform of corporate abuses—why should he? he had not, nor could he have, any interest in preserving corporations throughout the kingdom in their present state, or in any state adverse to the public advantage. Lord John Russell had censured them, too, for not having called together the parliament which they found in existence on their accession to office, but judging from the circumstance of the choice of a speaker being made a ground for displacing a government, he professed himself unable to comprehend upon what rational grounds it could be contended that the present advisers of the Crown ought to have met the late parliament. If the appointment of speaker had been opposed even in a new parliament, what might have been done in an old House of Commons, before the recently appointed ministers of the Crown could have taken their seats?

Mr. Daniel Whittle Harvey, once an attorney, whom the benchers of one of the Inns of Court had refused to admit to the bar, because in two different actions verdicts had been given affecting his character, but who had found no opposition to being elected a representative of the borough of Southwark, thought it clear, beyond a doubt, that the late ministry had been the victims of base intrigues; but he did not think either its dismissal, or the dissolution of parliament, things to be lamented; for it would serve to convince them that whatever name they might assume—whether Whigs or Liberals—they never could hope to have any hold upon the court—they never could be free from the bale-

ful influence of its Janissaries—never could be certain of retaining office from one hour to another, unless their anchorage were deeply cast in the soil and souls of the public. The reason of the dissolution was manifest. If the country had been allowed to become aware of the benefits which the late government intended for them, the effect upon the constituency would have been very different. The real question was, did the present administration mean to proceed in the spirit of the Reform Act? and nothing was more evident than an unequivocal design to govern the country on High Church and Tory principles. An ecclesiastical commission, forsooth, had been appointed for church reform in England; and, really, when he looked upon the names of those composing that commission, he wondered that his motion about the pension list had not been met by the appointment of a commission of a similar description. They might all imagine what would be the report of a commission of pensioners respecting the pension list; and he certainly saw no more difficulty in divining the report of the venerable personages on the church commission—disinterested men, undoubtedly, but men whose disinterestedness consisted in taking care of themselves. The amount of the ecclesiastical revenues he considered to be about 5,000,000*l.*; and whatever might be the change in distribution, the intention of government, he understood, was to apply this vast income to purposes strictly ecclesiastical. Now, he hesitated not to say, from his knowledge of the people of England and their expectations, that they would not be satisfied, unless a large portion of the surplus were

applied to purposes analogous, if gentlemen so pleased to call them, but which should be universal in their nature and incontestable in their purity and liberality.—Mr. Baring, the president of the Board of Trade, adverting to the pretensions put forth by Mr. Harvey, and before him, by Mr. Clay, on the ground of their having been returned by large metropolitan constituencies, and being representatives of a vast sum of wealth, intelligence, and respectability, admitted that undoubtedly, according to the constitution of the country, they were so; but it was, in fact, a mere fiction. Unfortunately, never was there a case in which numbers and property were more at variance than in the metropolitan boroughs. The city address in support of the present ministry, signed by 5,000 persons, afforded a greater display of wealth, intelligence, and respectability, than ever yet appeared on the face of any similar document. He was not one of those fond of distinguishing the various classes of society by their extent of property, or degree of intelligence and information; it was only when particular pretensions were put forward, as in the present instance, that he ventured to state his opinion; and that opinion was, that 9-10ths of the wealth and intelligence of the metropolitan boroughs was unrepresented in that House. It might be true, that when several parties were joined, there might be a small majority, against the government; but looking at the parties into which the House was divided, and looking at one of these as aiming to supply the place of the present ministers, he would say, that it would not afford a majority, but, on the contrary, would be a minority, and

a small minority, too, of the House of Commons. Could a party so circumstanced, he would again ask, expect to form a government with any hope of its being permanent?—Mr. Mullins, one of the Irish members, repeated the assertion that the ministry would concede no proper reform of municipal corporations, and was already pledged not to do, in regard to Irish tithes, the only thing which would remedy the grievances of Ireland, the people of which would not be satisfied with any measure less extensive than that which the late Irish secretary had introduced during the preceding session.

Mr. Finch, on the other hand, maintained that O'Connell and his Irish friends, in supporting the amendment, would be guilty of the most glaring inconsistency he had ever witnessed in public men. They pretended to vote for it, in the first place, because they wished a new appropriation of church revenues to the purposes of Protestant and Catholic education, which, they complained, was not promised in the royal speech, and had been repudiated by the minister. Now he thought that whoever should advise the king to such an appropriation, would advise him to an infringement of the rights and privileges of the established church which his majesty had sworn to preserve intact; but, at all events, the amendment was as vague in regard to the reform of the Irish church as the speech, and on this principle of appropriation it was absolutely silent. If, therefore, the friends of that principle opposed the address, it could not be on account of any thing contained in the amendment, but it could only be from a conviction that by showing a majority, what-

ever might be the question, they would obtain a ministry which could not dare to refuse what their own amendment did not avow. Again, the amendment embodied an expression of regret at the dissolution of the late parliament; and was it possible that Mr. O'Connell, after his recorded opinions of the proceedings of that parliament, could concur in such an expression of regret? The first act of that parliament had been to vote an address in answer to the royal speech. In arguing against that address, Mr. O'Connell had said "that it was impossible, in his opinion, for the representatives of the people to agree to such an address. It was a bloody and brutal address. It was a declaration of civil war, it was such an address as was put forth to America when England sent her secretaries there to write her history in blood; but that attempt terminated in utter disgrace and discomfiture. He repeated that the proposed address was bloody, brutal, and unconstitutional." Yet the late parliament had voted this address by a majority of ten to one—and this was the parliament over whose dissolution Mr. O'Connell was prepared to mourn! The same parliament had passed the Irish Coercion bill, which Mr. O'Connell called "an assassination of the constitution by taking away trial by jury," and of which he said "The present generation may perish: The Robespierrian measures of this reformed parliament may destroy the existing population, but the indignant soul of Ireland can never be annihilated." Again, at the opening of the last session of that lamented parliament, his majesty had been advised — unwisely advised — to hold up an individual to public re-

probation; that individual was Mr. O'Connell, and that parliament voted an address in accordance with the royal speech. Then came his motion for the repeal of the union, the sovereign and only remedy, according to him, for all the ills of Ireland; and that remedy the same parliament, by a solemn vote, had utterly condemned and proscribed. Where was consistency, and sincerity, if Mr. O'Connell could really join in regretting the dissolution of a parliament, which, on his own authority, had announced bloody and brutal intentions against Ireland, which tended to involve her in civil war—had carried them into effect by assassinating the constitution—had refused to do her good by repealing the union—and had approved of the Crown holding him forth as a mischievous disturber of the public weal? Something else must lie at the bottom of such a vote.

Mr. Gillon, a Scotch radical member, did not altogether approve of the terms of the amendment, but would vote for it in opposition to the address proposed by a party whose principles, according to him, consisted in the encouragement of despotism abroad, and the destruction of public liberty at home. He found fault, particularly, with a paragraph in the speech from the throne, in which his majesty called the earnest attention of parliament to the condition of the church of Scotland, and to the means by which it might be enabled to increase the opportunities of religious worship for the poorer classes of society in that part of the united kingdom. He would take it upon himself to say, that, unpopular as the Tory party were before in Scotland, this declaration would make them infinitely more so. It

indicated an intention on the part of ministers, under the pretext of affording spiritual instruction to the poor, to attempt to strengthen the dominant sect in Scotland, and treat as nothing the claims of the Dissenters. A cry was raised that more churches ought to be built, when it was notorious that in Edinburgh the established churches exhibited 5,000 or 6,000 seats unoccupied. Talk of the instruction of the poor! The Dissenters were the true instructors of the poor, and their places of worship were filled, whilst the ministers of the established church preached in empty churches. Now, even assuming Mr. Gillon's representation to be correct, it unfortunately happened, that the amendment left untouched the address which echoed this very paragraph. The amendment struck nothing out of the address; it only made an addition to it, and an addition not one word of which was inconsistent with the original address. If this declaration would make the Tories unpopular, it was one which the Whigs adopted so soon as made; and those who voted for the amended address were re-echoing the paragraph in question, as much as if they had voted for the original address. In answer to Mr. Gillon, Mr. Cumming Bruce, a conservative Scotch member, said that the declaration in question exhibited a regard for the best interests of his fellow-countrymen, which, he was well convinced, would be hailed and responded to by the people of Scotland as showing a regard for the best interests of the country. In the district he had the honour to represent, where there were only the ruins of a cathedral, subscriptions had been entered into to build places of worship in con-

nexion with the established church. Those subscriptions were not sufficient; and one of his instructions from his constituents in the last and in the present parliament was, that he should seek aid from government to promote the object. He, therefore, hailed a declaration meeting the necessity of the case, and which established a principle recognising it to be the duty of a christian state to provide instruction for the community in what was conceived to be true religion. If he considered the church merely as an instrument in aid of the civil government of the country, calculated to promote the peace and well-being of society, and not as the centre of our most important interests in this world and the next—as affording the only just foundation and real security for the rights and liberties of men—as that which secured to the poor the fruits of their industry—to the rich the enjoyment of wealth—to the noble the possession of honours—to the prince his throne—he did hail with the utmost satisfaction the speech, in which his majesty assured parliament that the interests of true religion would occupy the attention of his government. This was their point of union—this their conservative principle—a strong and firm bond, unlike that rope of sand (framed for party and temporary purposes), by which their opponents were held together for a time, but which must soon fail, while the sound and just point of union which held the ministerial band together would continue unchanged.

Mr. G. Berkeley and Mr. Fox Maule spoke in favour of the amendment; the latter declaring at once that the ministry were determined to resist all sound and

necessary improvements; sir Roger Gresley and Mr. M'Lean spoke in favour of the address. The latter of these gentlemen complained that the opponents of the address were so contradictory in their sentiments regarding it, that he had been unable to extract from their speeches any one reason why the amendment should be preferred. Some of them declared that the address was vague and indefinite, and that the speech of sir Robert Peel did not contain a satisfactory statement of the course he was about to pursue; others declared that they had never heard a more clear and definite exposition of principle, and of principle opposed to all sound and necessary improvement, while Lord Stanley saw in it substantial and useful reform. The amendment appeared to pledge the House to the opinion, that, in consequence of the dissolution of parliament, the progress of reform had been interrupted. It certainly appeared to him inconsistent to represent the people as warmly attached to reform principles, and at the same time to say that the progress of reforms could run the slightest risk of interruption from an appeal to the country. If the opposition were anxious to have measures which, in their opinion, would advance the cause of reform, assuredly they ought not to complain of the dissolution. If they desired to circulate more widely the doctrines which they professed, where could they find a better opportunity of doing so than in addressing their constituents from the hustings? If they desired an increase of strength, how could they obtain it but by a general election? He could not concur in the amendment on this point, because he had not

the least apprehension that there was likely to be the slightest interruption to the progress of sound constitutional reform. He had listened with satisfaction to the declaration of principles made by the right hon. baronet at the head of the government, and if he acted upon those principles, he should receive his support. One of our ablest constitutional writers had expressed an opinion that the utility and dignity of the House of Commons would be best preserved by preserving a happy medium, which would prevent it on the one hand from becoming an aristocratical senate, and on the other, from degenerating into a democratic assembly. That happy medium he trusted the right hon. baronet would be able to preserve for the present House. He believed that while Sir Robert Peel would preserve the magnificent pile of our institutions, he was not blind to their defects—that whilst he was determined to defend the invaluable blessings which the people of this country had received from their forefathers, he would at the same time protect the rights and liberties of the subject, always remembering that these were to be maintained in due accordance with the privileges of the other House of parliament and the prerogative of the crown.

Lord Dudley Stuart said, that he found himself placed in an embarrassing situation. He had no wish to join in a factious vote, or to give a factious opposition to the present government. It was a matter of perfect indifference to him what men ruled the country, provided their measures were such as would satisfy the just expectations of the people. Neither the speech from the throne nor the address

satisfied him. There were, however, in the latter many points of which he approved. He was glad to find that the condition of the agricultural interest, which had been too much neglected, would receive attention from the government. It likewise afforded him pleasure to find that measures would be proposed for the relief of the Dissenters. He found fault with the address, not so much for what it contained as for what was omitted. The minister had said, that he would not pledge himself to any particular measure of corporation reform, until the report of the commissioners should be before Parliament; and if he had made a similar declaration with respect to the commission of inquiry into the condition and revenues of the Irish church, he would not have voted against the address. The minister, however, had gone further; for he stated, that whatever might be the report of the commissioners, whatever might prove to be the amount of the revenues of the Irish church, and however disproportioned they might be to the spiritual wants of the people, he never would appropriate ecclesiastical property to any but ecclesiastical purposes. With the opinions which the right hon. baronet held, he acted frankly and honestly in coming forward and avowing them; but having avowed them, he could not, with the opinions which he held, give him his support. He thought that no government, acting on this opinion with respect to church property, could or ought to stand, and therefore he would oppose the present ministers. He was sorry that the amendment did not express regret at the omission in the king's speech of any allusion to the Irish ecclesiastical commission. The amendment would

then have been clear, whereas it was now vague, and some gentlemen might explain it in one way, and some in another. He disapproved also of that part of the amendment which expressed a censure upon the dissolution of parliament. He did not believe that the progress of reform had been endangered by the dissolution. He should have been pleased with the declaration in the king's speech of the continued amity of foreign nations, had he not heard the supporters of the ministry congratulating themselves and the country on the confidence which despotic powers of the continent felt in the new government. It did not increase his respect for the government to find that it had conciliated the good opinion of Austria, Prussia, and Russia. Need he remind the House of the conduct of one of the three governments he had named towards Frankfort, and more recently towards Switzerland, in attempting to bully that country out of the rights and privileges which it had always been her pride and glory to maintain? When he recollected that these three powers were the spoliators of Poland, it gave him no pleasure to hear that they placed confidence in the existing government. What was the ground of that confidence? Was it a belief that the British government would allow them to continue trampling on treaties to which this country was a party? He certainly hoped that the duke of Wellington, who now filled the office of secretary for foreign affairs, would apply his manly and vigorous mind to assert the dignity of the country in a way in which it had not been asserted by the late government. He would vote for the amendment, but could have wished

it had been so framed as to enable him to do so with greater satisfaction.

Mr. Sergeant Goulburn, a new member, argued that the amendment, while it professed to be one thing, was intended to be another. It was a false and pretended amendment framed for the purpose of inducing some members to vote for it in the idea that they were merely adding to the address what the seconder of the amendment himself had styled milk and water, but which was in reality gall, bitterness, and party faction. The real question raised by the amendment was, whether the present ministers should be ejected from office without trial; and that raised this other question, ought the House to force back the Melbourne cabinet on the king against his will?—for no man could have listened to the speeches made on the other side of the House without coming to this conclusion—that, however different their political sentiments might be, the opposition members had nevertheless, for a short space of time at least, contrived to agree on one point—namely, to have back the Melbourne cabinet. Now, in the first place, he objected to the course adopted by the other side, because it amounted to an interference with what he had always understood to be the undoubted prerogative of the king; and he could not but express his condemnation of the disingenuous endeavour which was made to conceal, under false professions, the real object intended. The gentlemen opposite professed to have great respect for the prerogatives of the king: they admitted that the king was entitled to a free choice in respect to his ministers, but what

sort of choice? The king, forsooth, was free to choose certain individuals, whom the opposition prescribed, but he was to be under the obligation of rejecting every other individual, whatever his capability for office might be, howsoever great his talent or integrity. This was the sort of freedom which the gentlemen on the other side of the House would concede to his majesty. And what was the nature of the choice, which would meet with the approbation of the opposition? They declared, that they would have, at all events, the Melbourne cabinet.—The opposition having responded to this statement of the learned sergeant with cries of “No,” he continued, No! what would they have, then? That single question, in his judgment, put them out of the argument. What would they put in the place of the present cabinet? That was the question which he should like to have answered, and with respect to that matter he put himself, to use the language of his profession, on the country. Would they take the seals from lord Lyndhurst, and restore them to his predecessor in office? He was ready to go with them into every dwelling in the country, and to appeal to every elector on this subject. Would any one for a moment make a comparison between the two persons? They wished to see at the head of the foreign department an individual with a comprehensive and vigorous mind. Could they wish, then, to see the duke of Wellington ejected from office, and his place occupied by the rejected of Hampshire? On that question he would go with the opposition, to the country. There was not a single individual, high or low, in the empire, who would not scout

the comparison. Were they prepared to cashier sir Robert Peel? If so, again he asked, whom would they put in his place? If he was not to be permitted to lead the House, who was capable of doing so? Speaking, not to those who opposed the present administration from mere party motives, and a desire to take their place, but to those who were candid and honest at heart, he would say, that no honest and candid mind could seriously entertain a comparison between the present and the Melbourne cabinet. He was well aware that the section of the opposition from among whom that cabinet had been taken, and who formed, both in numbers and in talent, the weakest of the three parties in the House, had the notion of being able to govern by the alternate assistance of the other two. When they wished to destroy, they would have plenty to help them; they might then be sure of the assistance of the members for Dublin, Southwark, and Middlesex, whose aid would be required much oftener, he was afraid, than that of the conservatives. But when they wanted to preserve and uphold, then would they appeal to the high and manly feeling of the member for Tamworth. They would address him in the following terms:—“We know that you will do exactly the opposite to that which we should in the same circumstances. You will not withhold your support for the purpose of embarrassing the government. We know what your opinions are. You have never disguised them, and you will scorn to alter them; and we therefore claim your aid when we wish to preserve.” Thus would the weakest party in the House endeavour to carry on the government. Now,

he thought that nothing could be more contemptible than an attempt on the part of the weakest body in the House, both in numbers and talent, to govern by relying at one time on the aid of the conservatives, and on other occasions by claiming the support of those whose undisguised object was the destruction of the institutions of the country. Nevertheless, he apprehended that the expectations of the party to which he alluded would be disappointed. They might indeed safely rely on receiving the aid of sir Robert Peel—for he was too manly to withhold his support, when they appealed to him to resist the destructive party; but he was not so sure whether the latter would be equally ready to help these Melbourne gentlemen out of their difficulties, and to fight their battle for them; and if not, what would be the consequence? One by one the institutions of the country would be destroyed, and bit by bit all that was dear to Englishmen would be lost; and the hon. and learned member for Dublin would reign undisputed master of that House and the country. The country, he believed, would regret the reconstruction of the late cabinet; because, besides having been shorn of its brightest beams by the secession of its best members it had shown itself totally incapable and inefficient in the conduct of public business. The return to office of the late ministers would not be pleasing to the country on another account. The country desired to see an end put to excitement, and to that turbulent conflict between parties which more than any thing else was fatal to calm and dispassionate legislation. What the country wanted—and in the course of his canvass of a large

manufacturing town he had heard the observation repeatedly made — was something like a firm and good government — something like tranquillity and repose, which would allow of the due consideration of measures of public benefit, and enable them to be effectively carried into effect. As long as the late cabinet existed, such valuable results could not be obtained, because excitement was essential to its existence. If it did not excite, it ceased to live.

Lord Howick, whose sentiments were of importance principally from his connexion with earl Grey, said, that the removal of the present government from office, and the restoration of the late government, did not appear to him to be the plain import of the amendment; and certainly it was not in that sense that he intended to support it. If he had thought that the necessary effect of carrying the amendment would be to remove the ministry summarily from office, he was not certain that he would have thought it just to give such a vote. But so far from the amendment necessarily having this effect, he had had the great satisfaction of hearing sir Robert Peel himself declare that, even if it were carried, he should not consider himself compelled thereby to retire from office. This danger being avoided, he thought an important object would be gained by carrying it, viz. that without producing that summary and unceremonious rejection of the ministers, it would apprise his majesty, in a manner the least repugnant to his own feelings, the most respectful on the part of the House, and at the same time in language so plain as not to be misunderstood, that in the cabinet, as it was at present composed, the

country did not place that degree of confidence which would enable ministers to continue in their situation with advantage to the public service. The amendment implied, as he believed, something to this effect—that the House distrusted the liberal promises with respect to reform principles which had been made to the House by his majesty's ministers, and that it disapproved of the recent dissolution of Parliament. He would ask, then, how could any man, who had supported the policy of the last government for four years, refuse to concur in the propriety of this amendment? Never had there been a season in the history of this country, in which it was of more importance than the present, that the reins of government should be in the hands of men capable of using them with firmness, and yet with that sagacity that became those who were desirous of meeting difficulties, and providing for the coming storm; above all, in the hands of men who were gifted with that most rare of all qualities in a statesman, the art to know how to yield in the right place—men who knew when and where concessions were right and necessary—when and where they were dangerous and inexpedient. Did the present government answer that description? To prove that, in the art of knowing when to give way, the head of that government had shown himself signally and fatally ignorant, he required only to mention the repeal of the test and corporation acts,—the still more momentous question of Catholic emancipation,—the question of parliamentary reform, preluded as it was by the long discussion upon the disfranchisement of East Retford—These were enough to satisfy every

man, whether he might think the measures good in themselves or evil,—that sir Robert Peel, in his past conduct, had shown himself deficient in sagacity, in discovering dangers where they were close and obvious to the most casual observer. He had shown himself to be a pilot, who, though loudly and repeatedly warned, could never be prevailed upon to see the breakers before him, until the vessel of the state was at least in danger. It was true that, during the last two years, he seemed to have profited by experience, and to be now more fully aware of the exigencies of the times, and of the real feelings and wishes of the country than he had formerly been. He (lord Howick) felt this so strongly, that, in his views of liberal policy and the general interests of the country, he differed much more from many of those among whom it was now his fortune to be placed than from sir Robert Peel. But they must look at the manner in which the other offices of government had been filled up. By far the majority of the members of the government even in that House were men of extreme opinions. The three great offices of secretaries of state were intrusted to the very last hands, in which, in his opinion, it was fit they should have been placed. Mr. Goulburn, who was now charged with the superintendence of our domestic affairs—more than that with the affairs of Ireland,—had shown no indications that any change had taken place in his opinions since the time when he was the representative of the close, the ecclesiastical, and the orange borough of Armagh. The other two secretaries of state, who were intrusted with our foreign relations and the interests of our

colonial empire, were the very individuals, whose conduct during the last two years had been the very opposite of that of sir Robert Peel. Of the opposition in the House of Lords, the duke of Wellington and lord Aberdeen were the two most active members. They lost no opportunity of thwarting and embarrassing the government in every possible way. On the Irish education question they attempted to fan into a flame whatever prejudices might lurk in the minds of the English people with respect to that subject; they took pains to nourish the antipathy that existed in one party in Ireland against another; and yet they were now prepared, as the House was to collect from the speeches that had been made, to pursue what had been called a liberal course. Not only that; but in foreign policy those two individuals had gone the length to which, he believed, never had men gone before in this country. They thought it not inconsistent with their duty to hold out every encouragement in their power to the king of Holland, to the usurper of Portugal, and to all the foreign powers who were resisting the policy which was pursued by the responsible advisers of his Britannic majesty. The principles and opinions, which they avowed in conducting that reckless and, he would say, factious opposition, made him entertain the persuasion, that, of all men in the world, they were the two most unfit at this moment to be intrusted with the momentous interests which had been put into their hands.

Mr. Gisborne, the only determined oppositionist returned by the county of Derby among its members, likewise spoke in favour

of the amendment, because the address did not promise the admission of dissenters into the universities, because it took no notice of the commutation of tithes, and because it did not set forth that the discontent existing in Ireland did not arise merely out of the tithe system, but likewise out of the state of the Irish church—all of these being matters in regard to which the amendment contained no declaration. He approved likewise of the expression of opinion against the dissolution of the late parliament. The present chancellor of the exchequer said, that he was ready to do away with all proved abuses; but experience had shown that a parliamentary majority was the only means of proving to his satisfaction that any thing was an abuse. It was in that way the House had proved to him that the test and corporation acts were an abuse and a grievance. It was in that way that the disabilities of the Catholics were proved to be an abuse; and it was in that way that rotten boroughs were demonstrated to be abuses, though he was not quite sure whether he was ready even now to admit them to have been so. He had hardly ever in his Parliamentary career attempted, of his own accord, to remove an abuse, and he had always been particularly careful in removing any abuses that interfered with the possession of power. It was true he promised that he would save them from any collision with the House of Peers. He might say—"I have a majority against me here, but then I can command one in the House of Lords, and you should therefore not bring a majority against me in this House." Now if there were one privilege

more than another to which he laid claim for the House of Commons, it was this—that they had the right to determine who should be the ministers of the country. He claimed it negatively as to persons, but positively as to principles. He had no doubt that a government could be formed from the opposition side of the House which would possess the confidence of the country; and he hoped that, when it was formed, it would contain a due proportion of radicals, a class of the people too powerful to be excluded from the cabinet.

Mr. Price altogether dissented from the opinion which seemed to be entertained by some, and which, if prevalent in the country, would have a most unfortunate effect—that because an individual had once opposed some particular measure relative to the constitution of the House of Commons, he should therefore forfeit his rank and station in society, and be excluded for ever from all opportunity of doing service to the sovereign in the great offices of the state. Such an individual, although conscientiously opposed to any great and violent change in the constitution of that House, might very well, at the same time, be one of the most strenuous correctors of proved abuses; indeed such had been the case with that extraordinary man, the bosom friend of Lord Rockingham, the partner of all his toils, and the friend of Fox, who, although entertaining strong opinions against parliamentary reform, nevertheless brought forward and carried into effect one of the greatest economical reforms which the country ever had the advantage of, and who never on that account was charged with inconsistency by either his friend Mr. Fox, or his

opponent Mr. Pitt. The speech of sir Robert Peel, from its luminous arrangement, the comprehensive nature of its details, and the plain straightforwardness that characterized every line of it, merited, and had received, the stamp of public approbation; but, in the amendment which had been moved to the address, he could not but think there lay concealed in the midst of all its studied ambiguity some cob-web meshes, which had been designed for the purpose of catching the straggling votes of those who were halting between two opinions. Those who drew up that amendment must have had in contemplation the great disunion of opinion that prevailed in their own ranks, which forbade them to venture on a bold exposition of principles. It comprised only topics on which in former times they had agreed, and studiously guarded against all reference to those subjects on which there notoriously existed at present extreme discrepancy of sentiment and feeling. The whigs as a body were certainly the weakest party in the state; and if a government were attempted to be formed from the remnant of the Melbourne administration, they would be obliged to lean for support, on others from whom they differed in opinion, but who would become their masters, and harsh and unscrupulous taskmasters they would find them to be.

After Mr. T. Duncombe, one of the Finsbury members, had delivered a tirade against the address and the ministry, sir James Graham rose, principally he said, to notice certain rumours to which opposition members had adverted—of communications having been made to him

and his party by government, since the vote on the election of the speaker. These reports, perhaps the creation of those who used them, he declared to be, in every sense and degree, utterly unfounded. The propagation of such rumours might form part of the new tactics of an opposition, which he could no otherwise describe than as a Babel opposition, in which all languages were spoken, in which the tongues of the young and old were heard, in which the radical and the repealer both raised their voices. If other motives were wanting, the mere existence of such coalitions would induce him to declare that he was not prepared to unite with such opponents of such an administration. If he could agree that the overthrow of the administration would not be the consequence of adopting the amendment, he might be disposed in some respects to qualify his support of the address. Referring to that portion of the king's speech which related to the subject of corporation reform, he was ready to admit that upon that topic the public mind was completely made up. The question of corporate reform consisted of two parts—the one relating to the application of trust property, the other the mode of appointment of those by whom the affairs of the several corporations were conducted. The former he admitted was a question of considerable nicety; but, on the other, nothing would have been easier than for ministers to have stated their views at once, in a manner short, clear, and perspicuous. At present the governing party in the corporations were self-elected; the people desired that the mode of their election should be popular; and as the

public mind was evidently made up on that subject, it became with him, in reference to that, at all events, a matter of entire indifference who were, or who were not, the ministers of the Crown; for, whoever might be minister, a removal from our municipal corporations of the vice of self-election was, in his opinion, a matter fully and completely decided. Had an amendment been moved which involved the assertion of that proposition, he should not be indisposed to give such an amendment his support; but he was opposed, and should remain adverse, to arriving at any conclusion which might have the effect of placing the present administration in a minority, under circumstances which might put to hazard their continued existence. It was his misfortune not to have been able to place confidence in the administration of lord Melbourne; the present government, however, had made large and ample promises of liberal measures; and he would maintain that they possessed greater facilities and more extended means of carrying such measures into full effect than any ministry the formation of which he could contemplate. It was the duty of the administration to produce their measures; but was it not in fairness the duty of the House to abstain from striking without hearing them, and would it not be still more unjust to strike for the purpose of preventing their being heard? There were large promises contained in the king's speech. Now, he wished to put these promises to the test; for he fully believed that the measures, of which expectations had been held out, would soon be produced. With the exception of corporation reform, which exception he regarded with

somewhat of a jealous eye, it appeared to his mind, and he did fully believe, that on the whole their measures would prove satisfactory.

The debate was closed on the 26th, by a long speech of Mr. O'Connell, principally devoted to abuse of the Protestants and Orangemen. The latter, he said, or their confidential advisers and intimates, had alone, for many years, been raised to offices of civil and judicial authority. But as the Orange associations were made the subject of more particular discussion during the session, it is unnecessary to record the invectives which, on this occasion, Mr. O'Connell poured forth against them. The mode in which he applied the topic against the ministry was, that they would use and promote only officials attached to that party; and this was precisely one of the most bitter reproaches which, but a few months before, he had addressed to the late ministry. He made no attempt to explain how he now came to be the enthusiastic supporter of the late government, after the character which he had given of it in his letter to lord Duncannon, except that he had found that, "after the rejection of his motion for repeal, there was a continually increasing desire and determination to attend to the wants and alleviate the sufferings of Ireland." Now, his motion for repeal had been rejected early in the session, and his letter to lord Duncannon was not written till a considerable time after the prorogation. The true explanation, however, was to be found in what he now stated, were the three demands which he would make on the late ministry, when, by his aid, they should have been restored to

power. First, what he called an amendment of the Irish reform act, meaning a still further lowering of the franchise in Ireland—a still more complete prostration of property and intelligence before the hordes of poor and ignorant voters whom he and the priests guided at their will. Secondly, the execution of the principle to provide for the spiritual wants of the Irish Protestants out of the temporalities of the Irish church, and apply the surplus to purposes of charity and religion. Thirdly, a thorough corporation reform, establishing the principle of popular control in all the municipalities of the country; for the fabric of Orange power in Ireland depended on the maintenance of corporation influence. At his election, his watch-word had been, "Repeal! Sink or swim, live or die, I am for repeal." He now declared that he would suspend the question of repeal. His intention, he said, was to give time for the three measures mentioned above to have full effect. If they succeeded, after a free and ample trial, he would give up repeal; if they failed, he would again resort to it. He coalesced with the Whigs because liberty was in danger, and because he held the continuance of the present ministry in power to be the greatest curse that could be inflicted on Ireland. In England, ministers had a majority, and so England was to get something. In Scotland they had not a majority, and Scotland was to get nothing, except leave to pray. The Scotch could pray very well without their assistance. They had formerly done so in despite of an English government, and an English king. Nothing was to be given to Scotland except some additional

churches. Could not the Scotch build churches for themselves? They were at least as well able to do so as the Irish, and the Irish contrived to build their churches without the assistance of the government. There was to be commutation of tithes in England and Wales. Certainly this sounded well; it might be good—it might be an aggravated evil. Under all circumstances it would give a formidable advantage to the clergyman. He would be enabled to come in before the landlord—a summary execution could be enforced on his behalf! There could not be any thing of “the law’s delay”—the sum due was ascertained, and it must be paid. He confessed that he looked upon the measure with considerable apprehension. If they gave such a system to England as had been put in operation in Ireland, it would prove an annoyance and a mischief. The proposition as it stood was, at all events, exceedingly equivocal. Next they were to do something about church discipline. He had nothing to do with the spiritual arrangements of the English church; but he would only say, that if by this new arrangement they proposed to make the bishops in England despotic over their clergy, as they were in Ireland, to enable them to go abroad and disport themselves in the pride and pomp and arrogance of their authority, it would be a considerable evil. That prelatial power, it was well known, would never be exerted against those clergymen who had taken part against the rights of the people; while it was equally certain that those, who had evinced a sympathy in their favour, or who had stood forward in defence of the people,

VOL. LXXVII.

would be visited with the heaviest censures. He was relieved from the necessity of going further. There was nothing more in the speech which deserved comment. This was all, even for England and Scotland. As for Ireland, they of course did not condescend to think of her. She was again in the trammels of her old taskmasters. The present ministry offered an adjustment of the tithe question on a fair and equitable basis. Fair terms these, but did they lessen the tithes? No. Did they mean to alter their distribution? No. Did they not mean that the tithes of places essentially Catholic were still to be the property of the Protestant clergy? They offered a final adjustment of the tithes! Why they had had fifty adjustments of tithes, and not one of them had been final.

The House having divided, the opposition had a majority of seven in a House of 611 members; 309 having voted for the amendment, and 302 for the address. This was a still smaller majority than that which had carried the election of Speaker, and it was secured, as on that occasion, exclusively by the adhesion of O’Connell and his train. Of the English members who voted, ministers had a majority of thirty-two for the address. Among all the members for England and Scotland, they had still a majority of sixteen. But they had only thirty-six Irish votes, while there were fifty-nine against them, which thus furnished to the opposition their majority of seven.

The majority was so small that Lord John Russell, on the division being announced, inquired of Sir Robert Peel, whether he intended to endeavour to get rid of the amendment on the bringing up the

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report of the address, which was fixed for the following day. Sir Robert having declined to answer the question off-hand, Lord John advised all who had voted for the amendment to be in their places next day. Sir Robert Peel said, he would give the same excellent advice to those who had voted for the original address, that they might place themselves to-morrow in the position which the majority now occupied. Next day, however, on the motion that the report be received, Sir Robert stated that he did not mean again to divide the House. He had not declined, he said, to answer Lord John Russell's question, the night before, from any unwillingness to afford the House any information in his power, and still less from any desire to take an unfair advantage. He did certainly wish, in a matter of so great importance, to have some little time to consider the course he should pursue, and to exclude the possibility of acting under the momentary influence of temper or disappointment. He also bore in mind that sometimes hasty declarations had been made in the House, to which it was found afterwards not expedient to adhere—such, for instance, as the vote of last Session on the malt-tax. Another reason was, that the debate had lasted three nights, that there was a pretty general expectation that it might be protracted beyond last night, as there were several members who might have been expected to speak, and it was possible, therefore, that a number of members might have been excluded, who, on another division, would have voted with him. Under these circumstances he had wished to have an opportunity of ascertaining, whether the division

of the preceding night was accidental, or a fair indication of the decision of the House. He had since made inquiries on this point, and now did not hesitate to say that it was a fair indication of the sense of the House, and that if he endeavoured to subvert it—a course which it was perfectly competent for him to adopt—he would not succeed. He had no intention, therefore, of attempting to alter it by another division. Although this declaration rendered all further discussion unnecessary, Mr. Hume delivered a long speech, in which he violently attacked Lord Stanley, Sir James Graham, and the members who belonged to their party. A more unnatural junction, he said, a more unhalloed union he had never witnessed. He wished they had taken office under Sir Robert Peel, for nothing else was wanted to satisfy the people of England as to who were and who were not true Reformers—to discover to them who were the wolves in sheep's clothing, who were prowling about till they could find a fold in which they could enjoy the good things of official emolument. It was the declarations of these men that had induced the House, after it had agreed to the 147th clause of the Church Temporalities Bill, to revoke its decision, and to repeal by a majority of 380 that clause which it had carried originally almost without a division. They were now rallying under the banner, not of their old friend, but of their old antagonist, the member for Tamworth: he would find his new allies but half-and-half friends, who were always waiting to see in what direction the wind would blow. He congratulated Sir Robert Peel on the friends

which he had thus acquired; he congratulated the reformers still more on the gain of losing such supporters, for he would at any time rather meet an open enemy than a pretended friend, who only smiled upon him to betray him. The reformers had had the satisfaction of beating the Tories and all the Stanley party. Their triumph was thus a double victory, for it was a triumph over those who acted upon some principle, and also over those who acted upon none at all.—Mr. Hume, at the same time, admitted the principle on which the opposition was acting. He had no hesitation, he said, in conceding that there were great differences of opinion among the opposition members; but he added, that there was no difference of opinion among them upon one point, and that was, a desire to remove the present ministers. His own inclination had been to propose at once a vote of no confidence. He intended to have moved an amendment adopting all the words of the address, but adding the following:—"We cannot but express our deep regret that your majesty has been advised to call to your councils men in whom neither the people nor their representatives have any confidence, believing that they are not disposed to give effect to those measures of improvement which we expect from the reform act—a measure which in all its stages they strenuously and pertinaciously opposed." As, however, the amendment which had been carried, had been treated as meaning the removal of the ministry, he would not commit the indiscretion of exciting a debate upon his own; for, however much the opposition might be likened to a rope of sand, they were determined to

keep united till they accomplished the removal of the ministry, however much they might differ on other points.

The attack made by Mr. Hume on lord Stanley's friends necessarily drew forth indignant replies from sir M. Ridley, sir E. Wilmot, Mr. Hughes, and other members, to whom he was supposed to have alluded as the wolves in sheep's clothing.—Mr. O'Connor, member for Cork, inveighed against the conduct of the ministry, in regard to the blood which had been shed by the military in a tithe-affray at Rathcormac, in November preceding, which laid sir Henry Hardinge under the necessity of informing him, that, if any body was responsible for that affair, it was not the present but the late government. He ought to have known that, under the provisions of the existing law, the late government had made all the arrangements for the troops and the magistrates to attend at the levying of tithes from the 4th of November till the 4th of December. Every thing done at Rathcormac took place under their arrangements, and no blame could be cast upon them; they could do no less than maintain the law and assist the tithe-owner when they were called in. Of the Irish members, opposed to O'Connell and his party, Mr. Tennant, member for Belfast, delivered a speech in favour of the address, though he disapproved of the meagreness of its statements in regard to municipal reform. He drew a parallel between the conduct of the present opposition and that of the majority formed by the coalition of lord North and Mr. Fox. There was but this difference, he said, between them, that while Mr. Fox and the

Whigs of 1783 allied themselves with the one extreme in the person of lord North and the aristocracy, the Whigs of the present House had chosen the other extreme, and formed their coalition with the friends of democracy and the advocates of repeal. Lord North, the colleague and confederate of Mr. Fox against the administration of his rival, was the very man whom he and Mr. Burke had repeatedly declared to be "the great criminal of the state, whom an indignant nation would one day compel to make some atonement for his offences on the scaffold." Was this a more unnatural alliance than that of lord John Russell, with the man whom he had himself scarcely twelve months ago counselled his majesty to denounce from the throne, almost by name, as the object of the just indignation of his sovereign? Was it a more unnatural alliance than that of the member for Dublin with those whom, in his own fiery and indignant eloquence, he had often execrated as the "bloody, the brutal and tyrannical Whigs?" As a set-off to this extraordinary coalition, allusion had been made to a similar division of sentiment amongst those who were disposed to lend their support to the address. Now he was prepared to admit in its fullest extent the discrepancy alluded to, but there was this distinction to be observed—that while he and his friends were willing to support measures which they had always espoused, and which his majesty's ministers had now announced, those on the opposite side were equally determined to oppose them for a reason which, though perhaps perfectly satisfactory to themselves, would not conduce to the good of the coun-

try—namely, that they had not the honour of introducing them.

If he were told that the professions of intention on the part of his majesty's government were amply satisfactory, but that this House had no confidence in them as men, and consequently no confidence in the extent and details of those measures, then was his reply simple and obvious—namely, that this House possessed within itself the constitutional power on the regular introduction of their measures to accept or to reject them, to curtail or to extend their provisions, as to them might seem fit. The opposition to Mr. Pitt furnished an ample illustration of the principle, that, whatever constitutional submission the ministers of the Crown might owe to the just and rational decisions of the House, there was no power in a party, of whatsoever materials it might be composed, proceeding upon factious grounds alone, and even when commanding large majorities in that House, which was sufficient to drive from office an administration chosen by the monarch, supported by the peers, and although not yet enjoying the full confidence of the people, at least encouraged by every constitutional manifestation of their sentiments to persevere and to merit it by their measures. He was prepared to be told that the parallel, striking as it might be in some particulars, would not hold good throughout; that though Mr. Pitt might with impunity persist in such an opposition to the arbitrary decisions of an unreformed House of Commons, yet no minister of the present day dare attempt such a resistance to the declared resolutions of a parliament chosen by the people, and really representing and expressing the senti-

ments of the nation. Could he be convinced that such was really the character of that House at the present moment, he would at once admit that the ministry should bow to the decision of the majority; but when he recollected the admission of the member for Dublin last night, that notwithstanding the provisions of the reform bill, there never was an election in this country at which venality and corruption had arrived at so great a height as the last, when he looked to the means by which a vast number of individuals composing that majority had been returned to that House, notwithstanding the provisions of the reform bill, he could not for his part conceive that its decisions spoke the sense and the wishes of the people. He could not conceive it other than a mockery of representation to call those the representatives of the people, whose return had been wrung from their constituents by the exertion of every earthly coercion and every spiritual terror, and by threats of "the death's-head and cross-bones." He could not suppose that forty individuals sent into that House, not by the unbiassed suffrages of free electors, but by the nomination of one individual, represented the sentiments of the people, and not the sentiments of the man who had brought them here for his own specific purposes. Submission to the decision of majorities procured by means such as those, would in his mind be little more than a tame surrender of the delegated authority of the sovereign to the caprices and the clamours of a faction. Nothing could be further from his intention than to restrict in the remotest degree the power to ad-

vise, and even remonstrate, if need be, with his majesty on the appointment of his ministers, which under the provisions of the constitution belonged indisputably to that House; but while he felt it his duty, not only as a member of parliament, but as one of the people, to protect and defend that prerogative, it was equally essential to the balance of the constitution to respect its limits; and if, by the exertions of any factious influence, the House might be enabled to control the privilege of the monarch and the prerogative of the crown by negating the nomination of its ministers, without waiting for an impartial exposition of their measures, then did he contend that by that one effort of authority the executive powers would be transferred from the Crown to the Commons, and the monarch would be reduced to the condition described by Mr. Fox, of a mere "captive on his throne, and the first slave in his own dominions."

The address as amended having been presented to the king, his majesty returned the following answer:—

"I thank you sincerely for the assurances which you have given me, in this loyal and dutiful address, of your disposition to co-operate with me in the improvement, with a view to the maintenance, of our institutions in church and state.

"I learn with regret that you do not concur with me as to the policy of the appeal which I have recently made to the sense of my people.

"I never have exercised, and I never will exercise, any of the prerogatives which I hold, ex-

cepting for the single purpose of promoting the great end for which they are intrusted to me—the public good; and I confidently trust that no measure, conducive to the general interests, will be endangered or in-

terrupted in its progress by the opportunity which I have afforded to my faithful and loyal subjects of expressing their opinions through the choice of their representatives in Parliament."

CHAP. V.

Discussion in the Lords regarding the Slavery Abolition Act—Conduct of the Ministry in its execution—Questions put in the House of Commons regarding the policy of Ministers and rumours of an intention to dissolve Parliament—Answer of Sir Robert Peel—Mr. Hume gives notice of a Motion to limit the votes on the estimates to six months, which he subsequently reduces to three months—He abandons the motion—Motion by the Marquis of Chandos to repeal the Malt-tax—Speech of Sir Robert Peel against it—The Opposition likewise resist it, and it is lost by a large Majority—Discussion in the Commons regarding the appointment of the Marquis of Londonderry to be ambassador at St. Petersburg—Lord Stanley joins the opposition in disapproving of the appointment—Lord Londonderry declines the situation—Discussion thereon in the House of Lords.

IN the debate on the address, Sir Robert Peel had declared that an unfavourable decision would not induce him to resign. Public opinion approved of his determination, and it has been seen that some of those who voted with the majority, had expressed a hope that he would not consider that majority as necessarily implying that he should retire from power. The smallness of the majority, coupled with declarations like these, rendered it imprudent in the opposition to venture on more direct and decisive attacks. The House, it was evident, was not so constituted, as to allow the ministry to be ejected merely because the king had brought them in, without regard to the policy which they were to pursue. Their antagonists were compelled to wait for the measures which the ministry might

produce, and to take their stand against those measures as being bad in themselves, injurious to the interests, or unsatisfactory to the sentiments of the country. There followed therefore a sort of armistice, during which, however, suspicions were insinuated, and doubts were sought to be raised, by pushing forward topics, and putting questions or demanding explanations, regarding everything on which it might be hoped that the sentiments of the ministry would and might be unpopular.

Lord Howick, in the course of the speech which he delivered on the address, had stated it to be one of his reasons for not placing confidence in the new administration, that the bill for the abolition of slavery could scarcely be expected to succeed in the hands of a colonial secretary like Lord Aber-

deen, whom he represented as almost deserving, in relation to this question, the character of an enemy of the human race. On the 27th of February, lord Mulgrave brought this subject before the House of Lords, particularly in relation to the appointment of local magistrates under the act. His lordship apparently was apprehensive that the new government would be anxious, without a cause, to gratify the planters by placing this authority in their own hands. He held the intention of the legislature, in passing the abolition bill, to have been, that the administration of justice, as between master and slave, should be placed in the hands of a certain number of gentlemen, who were to be sent out in the character of special magistrates from this country. That was one of the most important principles of the bill, because it tended to prevent arbitrary or unjust punishment. As a great degree of discretion was left in the hands of those gentlemen, it was necessary, in order to secure impartial justice, that the parties intrusted with the administration of the law should have no interest on the one side or on the other. But in the last session of the Jamaica legislature a representation was made by the House of Assembly and Council, calling on the governor to appoint a certain number of special magistrates to act in each parish. The governor, the marquis of Sligo, exercising the power with which he was invested, thought proper not to comply with this requisition. He approved of the conduct of the noble marquis; for, in his view of the matter, a compliance with the wishes of the assembly and council would have been distinctly at vari-

ance with the spirit of the act; and the effect of such an alteration would be to restore the ancient power of the whip to the master. He thought it impossible to select, in the different parishes, any individuals unconnected with slave property to act in the capacity of special magistrates. He wished therefore to know whether the new government would maintain the rule on which the governor of Jamaica had acted, and continue to enforce the principle, that no person connected with slave property should be intrusted with the administration of justice between the master and slave. He wished likewise for some assurance that protection and encouragement would be extended to the missionaries, a point intimately connected with the tranquillity of Jamaica. A great degree of prejudice had been manifested against them, and it extended in nearly the same degree to members of the established church denominated evangelical. Encouragement and protection ought to be extended to these individuals, whose efforts were zealously exerted in the cause of religious education. Complaints had been made with respect to the conduct of those persons; but when he assumed the government of the island, he found that the complaints were not well founded. The religious teachers executed the duties of their different spheres with creditable zeal, and they were most useful in imparting instruction to the negroes. That instruction could be imparted with perfect safety to property; and the planters themselves, if they saw the question in its true light, were as much interested as any other body of men in extending education amongst the negroes,

Lord Aberdeen answered, that he would not yield to any member even of the government which had brought in the abolition bill, in anxiety to see its provisions faithfully executed. The first vote he had ever given in parliament had been against slavery; and his first act on now coming into office would, he thought, be admitted to manifest the same spirit. After having cursorily examined the correspondence of the governor of Jamaica, and satisfied himself with the general character of his conduct, recollecting that changes of administration very frequently produced changes of functionaries abroad—recollecting that one of the noble marquis's predecessors had relieved himself from the government of that colony without any disapprobation having been expressed of his conduct, and thinking that such might be the intention of the noble marquis—he wrote at once to him upon the state of the great cause in which he was engaged, and the administration of the law with the execution of which in that island he was intrusted. He had entreated the marquis of Sligo to retain the office he then held, and proffered to him the most cordial and hearty support of his majesty's government in the execution of his duty, and in every other thing which was calculated to produce the complete success of that cause. To that application he had received no answer, but he expected that a request so earnestly pressed would secure to him the benefit of the noble marquis's assistance. With respect to the intention of confining the execution of the law between master and slave to stipendiary magistrates sent from this country, he had already conveyed his majesty's ap-

probation of the governor's exercise of his power on that point; and he had no intention whatever to alter any instructions which had been sent out. At the same time he must say, that the situation of the colony, in that respect, had furnished one great ground of complaint, which certainly had not been contemplated by the government. In the distribution of the stipendiary magistrates, thirty had been given to Jamaica. The duties were thus to be performed by a small number of persons, who were scarcely acquainted with the extent or the geographical divisions of the country. Urgent representations had been made on this subject, and his predecessor in office, acting on his own responsibility, made a considerable addition to the number of stipendiary magistrates from this country. He himself, on coming into office, had added a few more to the number; and he had the satisfaction of thinking, that a sufficient number was now appointed to perform the duty without inconvenience, the number of magistrates having been increased from thirty to sixty-one. As to the second point, he was aware that great animosity prevailed on the subject of missionaries in the island of Jamaica; and though he could not go so far as to say, that in no case had their zeal outrun their discretion, still they should receive the full protection of the law, whenever it was necessary. He was quite convinced, that if they did not, by strong and vigorous measures, provide for the education of the negroes during the period of apprenticeship—if they left them free in person, but enslaved in ignorance, as they were at present, the abolition act would prove a curse instead of a blessing

to them. Education was indispensable to the negroes, and every effort should be made to impart it ; but if great care were not taken to get full information on many important points connected with it, before submitting any plan, that plan might be not only useless but dangerous. He was anxious, therefore, to see, in the first place, what could be done by the colonies themselves, by religious and patriotic societies, and by private individuals. He understood that recently he had been held up as a sort of enemy of the human race, and it was considered monstrous that in his hands should be placed the welfare and happiness of so numerous a class of men. All he would say was, that, whatever his enmity to the human race might be, he was certainly no enemy to the orator of the human race who made the accusation.

The duke of Wellington said, that he had opposed the abolition bill ; but that measure having passed through that House, and having become the law of the land, from that time to the present day, their lordships might be assured, that no individual whatever, not even the noble earl himself, or any other noble lord, wished for its success more sincerely than he did. He was most anxious to carry into effect the intention of the legislature. Such was the course which he had taken with respect to this and to many other measures ; being convinced, when those measures were once passed, that it was his duty to assist in giving them effect. Lord Mulgrave expressed himself perfectly satisfied with the answers which he had received, and assured ministers that he had not put his questions in any hostile spirit.

One of the misrepresentations,

by which the antagonists of ministers had laboured to render them odious during the elections, had consisted in holding them out as a faction who were prepared to set public opinion at defiance, and stake the royal prerogative against the voice of the country, by dissolving successive parliaments. Perseveringly to impute such designs is one means of conciliating credit to them ; interested party spirit delights in creating suspicions and propagating rumours, to which it then gives still greater consistency by making them the apparently justifiable subjects of grave discussion. On the present occasion, the virulence of opposition went still farther, announcing that ministers had resolved to maintain the army even though they should have no mutiny act—and stranger still, a political leader was found gravely to bring these extravagant fictions before the House of Commons, as matters which the ministry was bound to disclaim. Lord John Russell had hinted at the possibility of another dissolution in the debate on the address, and declared his intention of questioning the minister, now that two majorities had pronounced against him, regarding the probability of such an event. On the 2nd of March, on the order of the day for a committee of supply, his lordship said he had been informed by public rumour, that ministers, if they should not find reason to be satisfied with the result of his majesty's late appeal to the judgment of his subjects, would again appeal to the sense of the people, and endeavour to wear out and vex the country by repeated dissolutions. Nay, a rumour of a still more extraordinary character had got into circulation—

namely, that ministers, if they dissolved parliament before the mutiny act was passed, would nevertheless take upon themselves the responsibility of maintaining the army. This rumour, his lordship admitted, was a very absurd one; imputing a course of conduct which it could hardly be said any minister of the Crown would adopt, though it might enter the minds of some sanguine projectors. He would not now even put the question, which he had formerly proposed to ask, respecting the dissolution of parliament, but would take it for granted, unless he heard something to the contrary, that no such measure was contemplated. In doing so, he rested on the royal answer to the address, in which his majesty, though he regretted that the House did not concur with him as to the policy of the late dissolution, added an expression of his confident trust, "that no measure conducive to the general interests will be endangered or interrupted in its progress by the opportunity which he has afforded to his faithful and loyal subjects of expressing their opinions through the choice of their representatives in parliament." He could not believe that ministers would have advised such an answer if they had contemplated a dissolution, by which all measures of reform would necessarily be delayed and endangered. He would offer no opposition to the merely formal motion before the House; but he did think that they ought not to go too far in the matter of supply, before receiving that full explanation which ministers, after the carrying of the amendment, were bound to give regarding the course which they intended to pursue. He agreed, that it was not fitting that his

majesty should have declared in the royal speech what was intended to be done in corporation and other reforms; but it was now necessary that ministers should state their intended measures precisely and definitely—more especially as every day was adding to the doubt whether those, who filled the highest offices in the state, seriously contemplated any such municipal reform as would give the people that control over corporations which they formerly exercised, and which indubitably ought to be restored to them. As to the Irish church, Sir Robert Peel had already stated, that though he would lay the reports of the commissioners on the table, he did not mean to found any motion upon them. Now, he had heard from one of the commissioners themselves, that their first report might be expected in a few days. He therefore gave notice, that, before the conclusion of the month, he would call the deliberate attention of the House to the question of the Irish church, for the purpose of explaining the general course and principles on which the late government was prepared to have acted. He gave this notice, in order that ministers might be prepared to answer, either now, or at some future time, the call which the House undoubtedly would make upon them in regard to these two questions.

Sir Robert Peel said:—"I do not require any additional time to answer these questions. I have not felt it my duty, in consequence of the vote of the other night, to tender my resignation: and I do intend to persevere in that course which I consider it my duty equally to the king and to the public to pursue; and, notwithstanding that vote, to submit to the consideration

of the House those measures on which his majesty's government have formed their opinion. I am aware, certainly, that the House of Commons did, by a small majority, in an exceedingly full house, —by a majority of 309 against 302, —not pass a censure upon the government—but that the House of Commons, by a majority of seven, did imply a difference of opinion with that government as to the necessity of the late dissolution of parliament, and an apprehension, which I think was unfounded, that measures, which would be conducive to the general interests of the country, would be interrupted by the appeal which his majesty had thus made to the sense of his people. But I do not believe that the majority, which came to that vote, did mean to imply an opinion that that vote was tantamount to a vote for the removal of his majesty's ministers. I think that many, who concurred in that vote, will nevertheless admit, that I should not be acting consistently with my duty, if I considered it significant of an opinion that I ought to retire from the post to which his majesty has called me.

“ With respect to the Irish church, I intend to present to the House the report that may be made by the commissioners of public instruction appointed by the late government. When I came into office, I ascertained that the commissioners had applied themselves sedulously to the duties that had devolved upon them, that they had completed their inquiries in nearly one-half of the parishes in Ireland, and that they were proceeding to make them in the remainder. Under these circumstances, his majesty's ministers did not think it their duty, the commission having been

appointed by the Crown, to interrupt its progress; on the contrary, without committing myself to the adoption of the commission, or of the principle of the measures which it may propose, I may say, with truth, that we gave every fair facility to the conducting of that commission. I still remain of opinion, that ecclesiastical property ought not to be diverted from strictly ecclesiastical purposes. That was the principle which I have always maintained, which I still maintain, and upon which I am still disposed to act; but I do not preclude myself by that declaration from adopting any measures suggested by that commission, if I should approve of them, and which are not inconsistent with that declaration. In regard, again, to corporations, when the report of the commissioners shall be presented, when we are put in possession of the principles it contains, and the evidence which it brings forward in support of those principles, I shall give the evidence and the suggestions contained in that report the fullest and fairest consideration. I assure the noble lord that I have no lurking prejudice in favour of the abuses of corporations. I cannot conceive what possible cause, particularly after the passing of the reform bill, there could be, either of a political or personal consideration, to give me any assignable interest in the defence of corporate abuses, or in the prevention of measures to remedy abuses where they are proved to exist, and to secure against their admission elsewhere. Looking at the report of the committee of 1833, of which you, Sir, were chairman, and which states that many remedies were suggested that would suit small corporations, and would not suit

large ones—that the most popular corporations were not practically the most pure,—that there were many points upon which further information was required, and with regard to which the committee themselves were not able at the time to give an opinion; I repeat that, looking at that report, I think it would be inconsistent with my duty, as a minister of the crown, to pronounce an opinion on this subject at present; and that the most natural course for me to pursue is to propose nothing to the House, until I have an opportunity of seeing the report of the commissioners—of weighing the evidence which it contains, and of examining the nature of the suggestions that it puts forward. I have no secret intention of blinking the question of corporate reform. I repeat that I have not the slightest interest in doing so. My only wish is to see the nature and extent of the abuse, and the nature and extent of the remedy, before I commit myself.

“With respect to the question with which I was threatened by the noble lord on a former day, but from which I think he has himself now receded, the question as to the dissolution of parliament, I cannot help thinking it possible that, in the interval, he has referred to a question put in the month of April, 1831, to lord Grey. There were then rumours very prevalent as to the dissolution of parliament, and with good reason; for the question to which I refer was put on the 21st of April, and on the 22nd parliament was dissolved. On the 21st of April, 1831, lord Wharncliffe said, ‘I wish to ask his majesty’s ministers whether there is any truth in the statement that they have advised his majesty to dissolve parliament, and that

it has been resolved to adopt that course?’ Lord Grey, in reply, said, ‘I believe the noble lord’s question will be admitted to be one of a very unusual nature, and can hardly bring myself to believe, that when he put it, he expected an answer. But whatever his expectations may have been, I have only to say I must decline answering his question. As to any measure which he may think it necessary to propose on that subject, he will consult his own discretion, and take whatever course he sees fit.’ I am sure that if the noble lord would on any subject submit to a rebuke from any one, he would not object to one coming from lord Grey. But I will be more explicit with him than lord Grey was with lord Wharncliffe. He has asked me whether or not I have countenanced rumours, which he says are prevalent, respecting a dissolution of parliament. I tell him, in reply, that by no act or expression of mine, directly or indirectly, have I sanctioned or countenanced such rumours. I will tell him with equal fairness, that I have never discussed with any body the case hypothetically, in which a dissolution might be considered necessary. I will add, that I do not think that it would be becoming the ministers of the Crown to discuss hypothetically, and in reference to some future possible contingency, the exercise of this prerogative of the Crown. Besides, sir, nothing on my part would be more unbecoming, than to hold out any menace to the House of Commons in consequence of any course which it might think fit to pursue. But while it would be most unbecoming in me to fetter the discussions of the House of Commons by any the slightest menace, or reference to any menace

I must at the same time say, that it would be equally unbecoming in me, as a minister of the Crown, to consent to place any prerogative of the Crown in abeyance, or, upon the principle of a hypothetical case, to pledge myself, as a minister of the Crown and a privy councillor, how I should advise the Crown as to the course it should pursue."

Mr. Hume next advanced to the assault, and was not to be so easily repulsed, for he held that the ministry ought not to remain in office a single day, now that two majorities had decided against them. If the majority of that House, he said, was to be taken as representing the opinions of the majority out of doors, and there was no doubt that it did, they had declared against Sir Robert Peel and his colleagues. Did ministers, then, intend to remain in office, in defiance of repeated majorities of that House, and in defiance of the voice of the nation? Would they still hold the reins of government, though unable of themselves to carry a single measure in that House? What kind of an administration would that be? After the appeal that had been made to the people, they had a right to expect a steady straightforward government, both as to the measures it would propose, and the principles it would act upon. The people had no means of stating their opinions except through their representatives in that House; and if the opinions of the majority of their representatives were to be thus set at nought, he did not know to what unpleasant consequences it might lead. It might bring about a collision with the other House, which it was extremely desirable to avoid. It was contrary to all precedent; for though Mr. Pitt maintained him-

self in that House for several months against a great majority, the people out of doors were entirely with him. That was not the case now. He wished, therefore, to ask sir R. Peel, whether or not he considered the decisions that had already taken place as proofs that the majority of the House was against him; and, next, whether he intended to wait for a future opportunity to try the strength of the House? The present motion was undoubtedly one merely of form; but if they were to be told that a body of men, who did not enjoy the confidence of the people, and who possessed not the confidence of that House, were determined to keep their places and to carry on the government in defiance of the majority of the House of Commons, it would then become the duty of the representatives of the people to consider, when they were next called on to agree to a motion for a committee of supply, whether, under such circumstances, it would be fit and proper to place at the disposal of his majesty and his majesty's ministers any supply whatever. At all times anything that challenged the prerogative of the Crown was extremely dangerous, and should not be resorted to, except in cases of the greatest emergency. But if, after the opinion of the House and the opinion of the people had been so strongly expressed against the present ministers, they should commit their supplies to such men, he would like to know whose fault it then would be, if the majority of the House of Commons should be set at utter defiance?

Sir R. Peel answered, that he had already stated that the vote of the other night had not been sufficient to make him deem it his duty to resign. Looking at the condition of

that majority, and the nature of the vote to which they had come, he had not felt it his duty to abandon his post without making known the plans of government; and, therefore, he would proceed to submit to the consideration of Parliament the measures that had been mentioned in the speech from the throne. He had not resigned; and he meant to go on bringing forward those measures on which the government had determined. With respect to the course he should pursue, or the course which it might be likely that House would pursue, those were matters to be determined by future events; and with respect to them he thought that it would be utterly inconsistent with his duty now to pronounce any opinion. If members thought that they should refuse a supply to his majesty, and that they should obstruct those measures without reference to their merits, it would be then for him to consider what course he should pursue; but it would be quite absurd for him by preliminary engagements to tell the House, what course he might hereafter find it necessary to adopt. Mr. Hume still insisted on knowing from the minister, whether he considered the vote upon the address to be a vote of confidence, or of no confidence; and Mr. Ewart asked, whether the minister did not consider it a vote of censure upon the present government? Sir Robert Peel answered, that it would be absurd to say it was a vote of confidence. At the same time, he would repeat the statement he had already made, that he did not consider it to imply on the part of the majority of that House a decided opinion that it was his duty to retire. He could construe the address, and the answer to it;

but as for the amendment, he must leave those who voted for it to put their own construction upon it.

Mr. Hume, in suggesting the stoppage of the supplies, was only acting up to the language which the opposition had used during the elections. But the more wary leaders of the party now saw that to adopt so violent an expedient would only destroy the hold which they had already got. If the elections had given them an overwhelming majority, they perhaps might have ventured to make use of this instrument, if, indeed, it would not have been rendered superfluous by the previous retirement of the ministry which such a result would probably have produced. Even now, if sir Robert Peel had told them that the adoption of such a step would lead to his immediate resignation, there is no reason to believe that the opposition would have hesitated to take it. But Sir R. having kept his own counsel, they had reason to apprehend that the consequence of a refusal of the supplies, without even waiting for an opportunity of seeing what the measures were which government was to propose, would be, not the resignation of the cabinet, but a dissolution of parliament; and their majorities hitherto were much too small to justify them in encountering another election, exposed to the odium of conduct so perverse and unreasonable. Mr. Hume, however, was not easily subdued to the prudence of his more wary co-operators. On the 6th of March, he gave notice, that when any of the estimates came to be moved, he would propose that they should be voted for only six months, in order that the House might see what measures the government would propose. Three

days afterwards he repented of his liberality, and announced that he would endeavour to limit the vote to three months, and would make the motion on the first estimates that should come before the House. These were the navy estimates which stood for the 13th of March. On the 11th, sir Robert Peel desired to know what was to be the precise form of the motion, in order that the course of debate might be arranged,—whether it would be an instruction to the committee previously to the speaker leaving the chair, or a motion made after the estimates had been opened? Mr. Hume answered, that he was not sure whether the proposal would come from himself, or from somebody else; although it was he who twice had given warning of what he was about to do. In his view of the case, however, the motion would be made in committee; because the object of it was to limit the supplies, not to refuse them. This language betrayed great hesitation; and, on the 12th, Mr. Hume informed the House that he had abandoned his threatened opposition. He stated, that, on consulting with those who, he had hoped, would have supported the motion, he found that they did not consider the proposed vote sufficiently decisive of their want of confidence in the administration. He, therefore, with regret postponed his motion for the limitation of the supplies, but he did so only with the view of proposing a subsequent motion, tending to show decisively that the House had no confidence in the existing government.

On this announcement being made, sir Robert Peel exclaimed, “Is this, then, the motion of which you gave me solemn notice more than a week since? I say, is this the motion which you

thought it incumbent on you to give notice of a week beforehand? I asked the hon. gentleman last night, if he intended to bring forward his proposition for limiting the supplies, pursuant to notice, and he now says he gave me a conditional answer. That conditional answer was, that the motion would be certainly brought on, either by himself or some other member. I now ask, whether that other member, who was to have taken the hon. gentleman’s place to-morrow, has also abandoned his intention of proposing to limit the supplies, and whether the more decisive motion of want of confidence in his majesty’s ministers, of which the hon. gentleman talks, is to be brought forward to-morrow?” Mr. Hume answered, that, so far as he was concerned, it would not be brought forward on the following day. He himself had considered that the granting of the supplies for only three months would be tantamount to a vote of no confidence in ministers; but others had been of a different opinion, and he had abandoned his intention, seeing the necessity of proposing some motion which would come directly to the point, and contain words that could not be misunderstood. “I asked,” replied sir Robert Peel, “what course the member for Middlesex intended to pursue with respect to this threatened decisive motion of want of confidence in ministers, with a view to displacing them; and I really do not think that I am trespassing unreasonably on him or his friends, when I again venture to ask a question as to a course of proceeding which may be of importance to the ministry and the country. He says that neither he nor, as far as he knows, any other member means to press the motion

for limiting the supplies, on the ground that it might not be considered sufficiently decisive of the opinion of the House with respect to the present administration; but he adds, that I may depend on it another motion, which cannot be misunderstood, and which is to convey a decisive declaration of want of confidence in ministers, will be substituted to-morrow [Mr. Hume.—“No, not to-morrow.”] No? Then I am to understand that it is not intended to bring forward this new motion, implying want of confidence, to-morrow; and such being the case, I have now only to appeal to him, whether it is not right, after he and others who act with him have determined that such a motion shall be made, that he shall lose no time in naming the day for making it. Mr. Hume assured the House, that, if it depended on himself, the very first and proper moment would be named for the motion. But no day was ever named. The limitation of the supplies dwindled down into a motion made by Mr. Hume (16th March) to refer the navy estimates to a committee with the view of reducing their amount, which was lost by 146 to 60.

The first proposal, which ministers found themselves compelled to resist, proceeded from one of their own supporters, and it was one in resisting which their opponents were compelled to join them. It was a renewal of the oft-repeated motion for the repeal of the malt duties, as a source of relief to the agricultural interest, a measure which no government could adopt until a substitute was found for the tax, and the mooted of which was calculated to place some of the county members, who had been returned on the agricultural interest,

VOL. LXXVII.

in an embarrassing predicament, between the wishes of their constituents, and the interests of the administration which they had been returned to support. On the 10th of March, the marquis of Chandos moved a resolution, “That it is expedient that the present duties on malt shall altogether cease and determine.” He professed, and with perfect sincerity—that he did not bring forward the subject from any wish to embarrass the administration, but solely from a sense of duty to his constituents, which he could not sacrifice even to his good wishes for the success of the government. He detailed the different rates at which the duty had been fixed since the reign of William and Mary, when it was first imposed, till, in 1804, it reached 38*s.* 8*d.* a quarter, from which it had been reduced, in 1817, to 20*s.* 8*d.* its present amount. He then dilated on the different modes in which it was injurious to the farmer. It caused a diminution in the consumption of barley—it prevented the farmer from receiving into his house agricultural labourers, as was the practice in earlier days. It prevented the good old national practice of brewing in private houses—a practice from which the labourers derived no small benefit, and it deprived the farmer of the advantage of that rise which would be effected in the market by a reduction of the duty. The extreme pressure of the duty had caused an extraordinary increase in the consumption of ardent spirits; the gin-shop had usurped the place of the private brewery, than which nothing could produce more demoralizing effects upon the lower orders. In one year (1833) 12,000 women had been

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brought to the police offices of the metropolis on charges of drunkenness from the use of ardent spirits. Agricultural labourers, again, being unable to purchase beer out of their wages and the farmer being unable to provide it for them, they were obliged to quench their thirst at the pump in the farm yard. The agricultural interests had for years been bent down with distress—the landholders were obliged to leave their homes, and reside in foreign countries—old mansions were shut up, and farmers were forced to seek refuge in the workhouse. And what was more irritating than all, while they were thus suffering under an impost which impoverished them in order to debase public morals, relief had been extended to other classes of the community. In this year, as in the last, the speech from the throne admitted the distress of the agricultural interest, and spoke of relief; but this relief did not appear to be intended to go farther than certain local and parochial burthens on agriculture, in the shape of county and church-rates, and other taxes. Such relief would prove altogether inadequate. He had made calculations which showed, that, on a farm of 250 acres, the benefit to the farmer from relief of this kind would not exceed 8*l.* per annum, while the repeal of the malt duties would benefit him to the extent of 70*l.* or 80*l.* annually.

In another point of view, the effect of the tax was such, that the great profit of the trade went to the maltster. The consumption of malt for the year ending 10th Oct., 1833, had been 40,075,890 bushels, which, at 8*s.* a bushel, gave in money 16,030,306*l.* Barley in malting increased about one tenth,

so that about 36,300,000 bushels would be required to produce the above quantity of malt; and this quantity of barley, at 4*s.* a bushel, would amount to 7,633,660*l.* The duty paid to government amounted to only 4,923,074*l.* The expenses of the maltster in manufacturing malt, taking into account certain extra charges arising from the mode of proceeding of the excise, might be taken at 3*s.* 6*d.* per quarter. Of the whole sum, then, of 16,030,306*l.*, only 4,923,074*l.* found its way into the exchequer. The rest was the profit of some individual or other, and a great portion of it found its way into the pocket of the maltster. He had a right to realize a profit; but government, which received the duty, ought not to adopt a course which allowed so much to go to individuals. If even half the duty were remitted, it would help the agricultural interest; but if the whole were taken off, the expense of collection would be saved, monopolies would be destroyed, the opening of private breweries would be promoted, the trade would be thrown open to a large portion of his majesty's subjects, and the benefits of the change would be extended to the whole community. The brewer doubtless made a considerable profit, and in many cases there was a great want of the materials necessary for giving the poor man a sound and nutritious beverage; but all this would be cured by the removal of the duty, which would open the trade, and enable private individuals to brew. How greatly the use of barley, even in brewing, had fallen off was proved by the fact, that in London, between 1720 and 1730, 500,000 quarters more, of malt were used in brewing

3,670,000 barrels of beer, than were used between 1790 and 1800, in brewing upwards of 6,000,000 of barrels. At the same time, the regulations of the excise prevented the barley, which was not malted, from being applied to other useful purposes. In many counties, the farmers would feed large cattle on refuse barley, but that they dared not wet the grain, lest it should come under the excise duty; and in many cases, the farmers fed their cattle upon oil-cake, which was more expensive, because they were not able to give their refuse barley to the cattle wetted. The maltster took only the best quality of barley, and at present the refuse was of little value; but if the tax were removed, the farmer would be enabled to use it to advantage.

In answer to the argument, that it was impossible to touch the tax till a substitute had been provided, his lordship said he would recommend an increase of the duties on wines, spirits, and other articles of excise, so as to throw the burthen on the higher rather than on the lower orders of the community. Besides, although his resolution would pledge the house to the repeal of the whole of the tax, he did not mean to give it effect all at once. Considering the maltsters' claim to relief for the amount of his stock on hand, and not wishing to occasion the payment of a drawback on the present amount of stock, and looking at the difficulties which must be produced by taking at once 5,000,000*l.* from the disposable revenue of the country, he felt it would be best to resolve, in the mean time, the total abolition of the duty, reserving to himself to bring in a bill to give effect to this resolution by degrees. That bill would fix the time for the com-

mencement of the abolition, which would go on by a gradual progress, and by two or three instalments, in order to save the revenue from the embarrassment which would be the consequence of its immediate repeal. He would never propose any measure calculated to injure public credit; but what he now proposed could produce no such effect, and was essential to the existence of a class of men of whose distresses the House could not be ignorant, and whose position in the country must command their attention and respect. He particularly called on those numerous members, whose returns had been more or less effected on the express understanding that they were to vote for the repeal of this tax, and as the advocates of the British farmer, to redeem their pledge, and consider the influence of their votes on the present question.

The motion having been seconded by Mr. Handley, one of the members for the county of Lincoln, Sir Robert Peel entered, at great length, into all the views which could be taken of the question. He contended that the motion, if it was to be made at all, ought not to have been brought forward till after an authentic declaration of the national means had been laid before the House. At present, they had had no opportunity of hearing any financial statement; they did not know from any authentic source the amount of the demands for the public service, or the amount of disposable revenue; they had had no opportunity of considering any other claim for the remission of taxation: it was under these circumstances that they were called on to pledge themselves irrevocably to deprive the public revenue of several mil-

lions of money. He could not yet say with perfect accuracy what were the financial prospects of the ensuing year ; but it was sufficient for his purpose to take the calculations of Lord Althorp, the result of which, he thought, would not be found to be far wide of the truth. Lord Althorp had calculated that, on the 5th April next, the revenue would exceed the expenditure by about 250,000*l*. It was with a surplus like this that the House was asked to repeal the malt tax. That tax had yielded to the exchequer, in 1832, 4,208,000*l*. ; in 1832, 4,675,000*l*. ; in 1833, 4,772,000*l*. ; and in 1834, 4,812,000*l*. Thus, with a surplus revenue of only 250,000*l*., the House was desired to sacrifice an increasing revenue of 4,812,000*l*., that was, to produce a deficiency of 4,562,000*l*.

On what grounds was this to be justified? The expense of collection had been much insisted on, as a great sum which would be saved to the country by a total repeal of the tax ; but he would venture to say, that few taxes could be found, the collection of which was attended with less expense to the public than the malt-tax. It was difficult to estimate what was the precise charge of collecting any particular tax ; but it was not difficult to determine what charge could be got rid of by repealing a tax, and he had endeavoured to ascertain what extent of establishment might be dispensed with, if the motion were carried. The result was, that he could confidently state, that the charge of collecting the gross revenue derived from the malt-tax did not exceed 150,000*l*. Another material consideration in determining on the policy of a tax was the opportunity it afforded for fraud and

unfair dealing. Now there was no tax by which 5,000,000*l*. were raised, nor any combination of taxes producing the same amount, which on the whole admitted fewer opportunities for fraud than the malttax as at present regulated. In itself, therefore, it was not an impolitic tax.

But the repeal was urged because the agricultural interest was in a state of depression, and the price of agricultural produce had fallen. Assuredly this was not the case in regard to barley. The price of barley, at the present moment, was higher, in reference to wheat, than it had ever before been known. The price of wheat being untaxed, was low, while the price of barley, subject to a tax, was high. By what process of reasoning, then, could the conclusion be arrived at, that the removal of the tax from barley would necessarily raise its price. The remarkable fact ought to be borne in mind that, the rate of duty continuing the same, a progressive increase in the price of barley had taken place during the last four years. If the duty had tended to diminish the quantity of barley brought to charge, and thus to diminish the revenue, there would have been strong ground of argument ; because then it might have been contended that if the duty were lowered, the consumption of barley would be increased, and the price raised. But the fact was, that the quantity of barley brought to charge had gone on increasing, as was proved by the statement which he had already given of the net payments into the exchequer during the last four years. The opponents of the tax, explained this away. True it was, said they, that there had been an increase in the consumption of barley during

the four years preceding the last; but in those years, there had also been good harvests of barley. In the last year, however, there had been a bad harvest, and an increase of price had consequently taken place. If this were correct, a deficient harvest ought also to have diminished the quantity of barley brought to charge, and the argument was destroyed, if it turned out that the quantity of barley brought to charge since October last year had increased, as compared with the quantity brought to charge in the corresponding period of the preceding year. Now, the number of bushels brought to charge between 10th October, 1834, and the 19th February in the present year, exceeded by 846,779 bushels the number brought to charge between 10th October, 1833, and 19th February 1834. He was ready to admit that, in proportion to the population, the quantity of beer consumed at present had diminished as compared with the quantity consumed at an early period of the last century. But did that diminution arise from the operation of the duty on malt, or from the competition of other articles which had come into general use in this country. It was owing to a change in our national habits, and not to the operation of the duty, that the diminution in the consumption of malt liquors was to be ascribed. Some persons seemed to think that because people now drank more tea, coffee, and spirits, than formerly, they ought likewise to drink more beer. The increased consumption of the former was the very circumstance which produced the diminished consumption of the latter. More beer was consumed in 1722

than in any other year of the last century, and he was therefore taking an unfavourable case for himself when he instituted a comparison with that year. The population in 1722, was 6,000,000, and, in that year, 6,000,000 barrels of beer were consumed, being a barrel to each person. In 1833, the population amounted to 14,000,000, and the average annual consumption for the last three years preceding the repeal of the beer duty amounted to no more than 8,200,000 barrels. This diminution was to be ascribed, in his opinion, to the increased consumption of other articles. In 1722, the total quantity of tea consumed in this country did not exceed 370,000lbs., or about an ounce to each person. In 1833 it amounted to 31,829,000lbs., being about $2\frac{1}{4}$ lbs. to each person. The use of tea had in fact superseded, to a certain extent, the use of beer among all classes of the community. In like manner the consumption of spirits had increased. In 1722, only 3,000,000 gallons of spirits were consumed: in 1833, 12,332,000. An extraordinary increase had likewise taken place in the consumption of coffee. There were no accurate returns regarding it before 1760, in which year the consumption amounted only to 262,000lbs., or $\frac{3}{4}$ of an ounce to each person. In 1833, the consumption of coffee had increased to 20,691,000lbs., or $1\frac{1}{2}$ lb. to each person. With such returns, it was impossible to avoid arriving at the conclusion, that the increased consumption of these three articles had occasioned the diminished consumption of beer, and, so far as morality was concerned, he doubted whether any great advantage would be gained

by substituting beer for tea and coffee. Neither could it be said that malt was unfairly dealt with by being subjected to a higher rate of duty than its rivals. The duty on malt was 2*s.* 7*d.* per bushel, or fifty-seven per cent. On West India coffee, the duty was sixty-three per cent; on port and sherry, seventy-five per cent; on rum, 407 per cent; on English spirits, 7*s.* 6*d.* per gallon, or 333 per cent; on brandy, 627 per cent; and on geneva, 930 per cent.

The repeal of the tax, however, it was urged, would save to the public certain enormous profits, which were said to be made by the maltsters. The duty was 20*s.* 8*d.*, the total amount received by the exchequer was not more than 5,000,000*l.*, yet it was alleged that a sum of 16,000,000*l.* found its way by some mysterious process into the hands of the maltsters. He certainly did not pretend to understand this statement and it appeared to him incredible. Was it credible that, while the whole amount of revenue received by government did not exceed 5,000,000*l.*, the public was burdened with an additional charge of 16,000,000*l.* which went as gain to the parties by whom the article was manufactured? Was it likely that such enormous profits should be made in a trade which was open to all the world? There was, in fact, great competition in the malting trade. The number of maltsters was not less than 14,000; and there was one peculiar circumstance in that trade which would always occasion great competition, viz, that it was carried on, in a great measure, with capital provided by the public. The maltsters, on giving a bond, were enabled to trade with go-

vernment money. To ascertain whether these statements regarding the enormous profits of maltsters were well founded, he had sent to Mark-lane to learn the price of barley and malt of equal quality. The price of good malting barley in Mark-lane that day was from 36*s.* to 40*s.* per quarter; adding to this the duty of 20*s.* 8*d.* on malt, the price of malt per quarter would come out at 60*s.* 8*d.* In point of fact it was 66*s.* per quarter, leaving a difference of 5*s.* 4*d.* between the price of malt and the price of barley increased by the amount of the duty; and he certainly did not think that after deducting the expenses of malting from this difference, any extravagant profit would remain to the maltsters.

Another favourite argument in favour of the repeal of this tax was, that thereby the poor man would be encouraged to brew his own beer; but what inducement could he have to do so, which was not held out to him at the present moment? Why should he not now purchase malt, and brew beer for his own consumption. It was argued that, in consequence of the high price of malt, and the large profits of the maltsters, it was impossible for the poor man to buy malt in retail; but, if the duty were repealed, would the poor man, in his small cottage, and with his limited means be better able to compete with the large capital, skill, and experience of the great maltsters? — and if not, what greater temptation would he have to brew than at present? How was it that the poor man did not brew his own beverage, while the duty on beer was still unrepealed. At that time, a duty per barrel attached to the great brewer, from

which the poor man who brewed at home was exempt; and if he did not brew his own beer then, could it be supposed that he would do so now? The House must guard against consenting to the loss of 5,000,000*l.* of revenue, under the delusive expectation that encouragement would thereby be given to the agricultural labourers to brew their beer in their own cottages. The same reason, which induced them to go to the beer-shop at present, would continue to operate after the repeal of the malt duty. If the labouring man purchased his beer at the public-house and took it away to drink at his own house, he might have the beer at a reduced rate. There was a considerable difference between the price of a pot of beer purchased at the public-house and carried away, and the price which was charged to a man who sat and consumed a pot beside the fire in the public-house. Notwithstanding, however, this difference of charge, there was something in the charm of a good fire and of company, which tempted the labourer to pay an additional penny for his pot of beer. And after the repeal of the malt duty, which would not reduce the price of the pot of beer more than a halfpenny, he believed that the same temptation would still exist.

So far, therefore, from considering the arguments for the repeal of the tax, founded on the interest of the agriculturists, as being sound, sir R. Peel could not help thinking that, if the present motion succeeded, the agricultural interest generally would suffer more injury than many members seemed to be aware of. It was notorious that it was not light lands, but the clay lands

growing wheat, which at present were suffering under the greatest depression. The motion gave the whole benefit of this relief to the barley-growers, though that class of agriculturists was not the most distressed; and the effect of repealing the duty would be to force the clay lands into an unnatural cultivation, the owners being induced to grow barley instead of wheat. It seemed to be taken for granted that one consequence would be, a great increase in the consumption of beer; but he had an impression that the very contrary effect would be produced by the removal of the tax. He was greatly afraid that the direct consequence would be, to promote illicit distillation; for although it was comparatively difficult to distil spirits from unmalted barley, the process, by which illicit spirits were distilled from the barley after it had been made into malt, was very easy. How, then, with the increased facilities given to the defrauder of the public revenue by the removal of the malt-tax, would it be possible for the excise to watch the proceedings of the unfair trader with the same vigilance and success with which they now checked him, without interfering with the domestic concerns of private individuals to a degree which the country would never submit to? The result would be, not as was anticipated, an increase in the consumption of beer, and consequently in the consumption of malt, but a positive reduction in the revenue produced by the duty on spirits, and a great increase in the amount of illicit distillation. For these reasons, he was of opinion that the benefits, which were looked for from the repeal of the malt-tax, would not

follow its removal, and he thought that unless some inestimable advantage was clearly shown to be the necessary consequence of its immediate repeal, members ought to pause before they gave their votes in favour of a measure which struck at nearly one-third of the disposable revenue of the country.

For, if the House should determine in favour of the resolution, what was the course which it intended to pursue in relation to the public revenue and the public credit? On one of four possible methods they must act. They might reduce the estimates; they might increase the duties on other articles; they might resort to a property tax; they might declare a deficit and do nothing. As to the first, even if any reduction could possibly be effected, the question of such reduction should be looked at only in reference to its own merits, and not with a view to substitute the sum thus saved for the malt-tax. But did any member conscientiously believe, looking to the reductions which had been made by lord Althorp in the last year, and a further reduction in taxation to the amount of 500,000*l.* which would be made in the present year, that it was possible to make any, even the most trifling reduction in the estimates? Bearing in mind the reductions which had been made, and the demands of the West India proprietors on the public purse, no man could hope to replace the 4,600,000*l.* which the malt-tax furnished, consistently with the maintenance of the public honour and regard to the interests of the country, by any considerable reduction in the sums voted for the public service. Would they, then, increase the duties on other articles of con-

sumption? He must caution those who looked to this resource against hoping that an increased duty, either on wine, or spirits, or beer, would lay the foundation of a large permanent addition to the revenue of the country. Of what benefit would it be to the agricultural interest that a heavier tax should be laid upon spirits? They were distilled from barley. If an additional tax of 1*s.* a-gallon were to be imposed on spirits, it would be equivalent to laying a tax of 16*s.* a-quarter on malt. From a bushel of malt would be obtained two gallons of spirits, and thus there would be laid a tax of 16*s.* a-quarter on barley, and that, too, on the poorest description of barley. In the course of last session it had been proposed to lower the duty on Irish spirits from 3*s.* 4*d.* to 2*s.* a-gallon, yet it was now in contemplation to increase the duty on spirits. Perhaps, however, this objection might be met by a proposition to raise the duty on spirits only in England. Did they then propose to reduce the duty to 2*s.* in Ireland, and raise it 1*s.* in England? Such an anomalous mode of taxation would offer a temptation to smuggling too strong to be resisted: so large a bonus being thus held out to the unfair trader, he would fully avail himself of the advantage. But they might propose to tax Ireland and England in this respect in the same proportions. First let them ascertain what had been the result of the reduction of duty on the spirits in Ireland. He had that morning received an account, from which it appeared that, on a comparison of the last four months with the corresponding period of last year, 1,000,000 gallons more spirits had been brought to charge,

With the knowledge he possessed of this fact, he hoped he might be excused for asking, if those, who advocated the increase of the duty on spirits, were quite sure they would raise the revenue by that method of taxation. But this was not the only danger. The farmer would find that when by the removal of the malt tax the illicit distillation of spirits was encouraged in the manner which he had before described, the defrauders of the revenue would distil, not from grain but from molasses, on account of the greater facility of distillation; and as chemical knowledge increased, it would be applied in a more extensive and systematic manner to that kind of distillation, and more especially in large towns. The next alternative, to be adopted as a substitute for the malt duty, was a property-tax. Under circumstances not dissimilar to the present, the late chancellor of the exchequer had at his disposal an available surplus of 1,500,000*l.*, and with this it was proposed to make up for the repeal of the malt tax, and the house and window tax, amounting in the whole to 5,000,000*l.* sterling. The surplus which, after providing for the exigencies of the public service, would be at the disposal of Parliament in the present year, was but 250,000*l.*, and the proposition was now renewed which was made when there was a surplus of 1,500,000*l.* But even with that surplus, a large majority decided that the revenue, which would be given up by the repeal of the malt tax, could be supplied only by the imposition of a property tax. Now his prophecy was, that they would make that tax necessary—to that they must come if they repealed the malt-tax. They might try

their taxes on trifling articles of consumption, on tobacco, and spirits, and wine, and they would meet with a storm which would make them hastily undo what they had been doing. To a property tax, then, they must come; and the gentlemen of the landed interest would have to congratulate themselves on being relieved from the pressure of the malt tax, and falling on a good property tax, with a proposal for a graduated scale. If they believed that the substitute would be advantageous to their interests, let them not, when they found out their mistake, lay the blame upon those who warned them in time, but upon their own comprehensive views and sound judgment. He begged the representatives of Ireland to consider what would be their situation, if they voted for the repeal of the duty on malt. It would be infinitely worse than that of the occupiers of clayey soils. Ireland paid at present but 240,000*l.* out of the 4,600,000*l.* which the malt tax produced; and it would be a great hardship to Ireland to have a property tax imposed upon her as a countervailing substitute for her moderate proportion of the malt tax. They might depend upon it, however, that a property tax was inevitable, if the malt tax was repealed; and the attempt, he would not say, to levy that tax, for he was sure the people of Ireland would obey the laws, but to exact it, would be a fruitless undertaking. The fourth alternative was, to make a deficit, and do nothing; and he was afraid there were many members, who, when it came to the trial, would, upon the whole, make up their minds to prefer that plan. The seconder of the motion had recommended a small loan; but why not a large

one? He earnestly hoped that the House would not resort to that discreditable alternative, that they would not consent to incur the risk of that disgrace, if, after having made the declaration which was the object of the motion, they found it impossible to maintain the service of the state without some adequate equivalent. By keeping up the value of the public securities, and faithfully performing the national engagements, the government of the country had been enabled, since the year 1822, to make large reductions in the public burdens. If they continued to pursue the same course, they would derive the same advantages. They had a debt of 250,000,000*l.* in the 3½ per cents., which they might hope to redeem at no distant period. They had the experience of the benefits of good faith; but if they were careless to secure the honour of England, and maintain the national credit, they would simultaneously lose that fame which hitherto had always sustained us. Finally, he warned the House not to forget, that on this very question of the malt tax, they had, on three different occasions, retraced their steps. In the year 1811 the House of Commons took a part of the malt tax off, but found themselves obliged to put it on again in 1819. In 1821, the House, by a small majority, took the whole of the tax off, but in one month after, in the following April, they were obliged to rescind this vote, the offspring of their hasty legislation. In the year 1833, the House, in a moment of enthusiasm at the prospect of the advantages expected from the remission of this tax, resolved that it should be partly repealed, but on reflection they

found it necessary to rescind on the Monday the resolution to which they had come on the previous Friday, by passing a counter resolution in the following words:—"Resolved, that the deficiency in the revenue, which would be occasioned by the reduction of the tax on malt to 10*s.* the quarter, and the repeal of the tax on houses and windows, could only be supplied by the substitution of a general tax upon property and income, and an extensive change in our whole financial system, which would at present be inexpedient." If, then, a majority of the House should agree to the motion, there would be no other safe alternative but retraction and repentance. He had been informed that there were so many members who were pledged to their constituents to repeal the malt duty, that they could not help themselves, and must vote in favour of its abolition. But his uniform answer was, that he could not believe that men, having heard the deliberations of that House, would be influenced by any other consideration than an attention to the interests of their country. He still retained that hope; but whatever might be the determination of the House, it was enough for him to have stated his views. If the House chose to reject them, he would leave them subject to the responsibility of the consequences.

The motion was supported by Mr. Cobbett, and Mr. Bennett of Wiltshire, neither of whom seemed to object to a property tax. The latter gentleman said that the English landowners were too depressed in their circumstances to have any thing to fear from such a tax; for the property was not in them, but in the hands of mortgagees and money-jobbers. The

Earl of Darlington likewise considered himself bound to vote in favour of the resolution, however great his reluctance to do any thing that might embarrass a government to which he was friendly, and a minister who, he believed, would zealously endeavour to effect what he considered best calculated for the interest of the country. The tax bore most oppressively on agricultural labourers, yet not on them alone. It pressed equally hard on manufacturers, artisans, and all the working classes of society. If any man was entitled to have his distress relieved, it was the agriculturist—who had been the most distinguished by his loyalty in all trying times, the most zealous and decided in his firm adherence to the institutions of the country, and had done most for the peace and good order of society. But it was not the agriculturist alone, who at this juncture called for the interference of parliament: it was the whole of the working classes. There was not a master of a family, not a householder, not a journeyman, not an apprentice, not a servant, not a labourer, who was not a consumer of malt in a greater or less degree. The time had arrived when every sort of taxation of an annoying description ought to be removed from the distressed classes of society, and laid upon those who were able to bear them. Although he was ready to admit that, after the great amount of taxation which had been removed, there were but few who were not able to pay most of the taxes; yet, if some paid more in proportion to their income than others, the house might depend upon it, that, constituted as society now was, very differently to what it formerly was, that would ever be a source

of discontent. There were many excisable articles on which the poor man was scarcely aware that he paid any indirect taxation; but, from the one end of the kingdom to the other, there was not an individual who did not know that he paid his part of the malt-tax; many indeed thought they paid a much larger proportion than they really did. He was aware of the manner in which the removal of 4,500,000*l.* of taxation under one head would press on the revenue, and he did not wish the government to give up this amount of taxation; but still that was no argument why an unjust and impolitic tax should be continued, when others less oppressive had been the subject of modification. Every one knew there was no point upon which popular opinion ran so strong as it did with regard to the malt-tax; and if government would only take upon themselves the voluntary resignation of this tax, such a step would tend more to secure them in popular favour than any course they could pursue. If the chancellor of the exchequer would put taxation more on the rich and wealthy, to the relief of the distressed, that could not fail to be considered a proper course.

Of the members who had been connected with the late government, Mr. C. Wood, Mr. Spring Rice, and Mr. Poulett Thomson spoke against the motion; thus returning the assistance which they had formerly received from sir Robert Peel in opposing a similar proposal, but not without much sarcasm directed against those county members, who were now prepared to vote for the continuance of the tax, contrary to the pledges which they had given, or

the hopes which they had held out during the elections. They even endeavoured to extract from the support, which they were thus giving to the government on the present occasion, an analogy or example to justify their coalition with the British radicals and Irish repealers, forgetting that to vote with sir Robert Peel, because they could not vote against him without likewise voting against their own convictions, was something very different from sir Robert Peel bargaining, in return for their votes, to admit them to a substantial share of power, to concede to them a large control over the spirit and measures of his government, and to present to their ulterior policy, of which he might not himself approve, no more obstacles than a decent regard to public opinion might require. Mr. Spring Rice said, he felt that he had himself an interest in the composition of the majority which he anticipated against the motion. If, indeed, it was true that the mere circumstance of being in opposition precluded him from combining in a vote—if he was to be taunted under any possible circumstances with joining a man or a party from whom he differed on any other point, how was it possible for him to come forward now in support of a government in whom he had no confidence, and whose majority must depend on the votes thus given? But he maintained that he was at perfect liberty now to give his vote cordially, earnestly, and sincerely, without in the slightest degree compromising his principles. Those principles had been recognized on a former occasion, in the course of the last parliament, and not without some analogy to the present, when the

Chancellor of the Exchequer, on a motion made by lord Chandos for granting relief to the agricultural interest, combined with those from whom he differed, although it was now attributed to the opposition as high treason against political integrity, that they followed that example. He would not be alarmed by any taunt of Toryism, and he hoped even that no member would be alarmed by reference to pledges given from the hustings. Those pledges certainly were awful things, but some of them, though honestly meant, might have been given in ignorance; and, upon consideration, a member might see that the redemption of such a pledge could not but be a gross violation of the duty he owed to the community at large. It was at the same time perfectly true, that any man, who aspired to become the depository of the high trust reposed in a member of parliament, ought previously to have made himself acquainted with the merits of such a question; it was no new subject, it had often been discussed before, and no man was entitled to plead ignorance of it who offered himself as a candidate at an election. When two men of character, station, and independence, offered themselves as candidates, one of them declaring his intention not to support a motion for repealing the tax, it would ill become the other to have inscribed upon his banners "No malt-tax," and plead ignorance afterwards in that House. By not adhering to sentiments unwisely or ignorantly stated, they would most truly adhere to that which would most promote the public interest, and secure the confidence of the public; but he hoped that never again would they unfold the

blazing oriflamme with the words "no malt-tax" displayed. To the argument which they had heard from the other side of the House nothing could be added, nothing could be more convincing, or better or more conclusively argued, than the statement of the chancellor of the exchequer; but, above all, it was so clear that no one, who could understand the force of reasoning and the application of facts, could resist the conclusion to which it naturally and necessarily conducted. He could not agree, however, in what had been said as to the merely temporary grounds on which the motion was resisted, in consequence of the period when it was brought forward, especially before the close of the financial year. However guarded the opening of that speech was, every one of the arguments adduced was of a permanent character; it was because they applied generally, because they involved and decided the whole question, that he was now prepared to give the minister his support. He did so, not merely because on a former occasion, when connected with the government, he felt himself bound to take the same course, and therefore because he wished to have an opportunity in opposition of proving his consistency; but because, if he was now approaching the subject for the first time, on the grounds stated by the chancellor of the exchequer, he could not consent to sacrifice so large a portion of the public revenue. That would not, in his opinion, be safe, even if they had the chance of carrying a substitute; but there was not within the walls of parliament one single individual, who could for a moment contemplate the possibility of finding such a substitute. One point had not been touched in

the argument, which ought in his opinion to have considerable weight with the gentlemen connected with the landed interest—he meant the connexion of the malt-tax with the present state of the corn-laws. Upon what grounds did they come down in the month of March and demand the repeal of a burden which bore exclusively upon the land, when there was no one who heard that demand, that did not feel that the time was not far distant, when the very same parties would come down for the express purpose of making a similar demand with respect to a similar burden, and ask not merely relief from present burdens but for protection from the importation of foreign corn? The absurdity of the argument was the same, whether they resisted a free trade in foreign barley, or demanded a farther protection against foreign corn.

Sir Edward Knatchbull, the paymaster of the forces, and who had been particularly alluded to as a former opponent of the tax, which, by his acceptance of office, he had now pledged himself to support, said, that in 1833 he had undoubtedly advocated the repeal of the malt duty. He had been then, and he still was, of opinion, that the remission of that tax would confer considerable benefit on the agricultural interests of the country. But at that period, when he supported that view of the subject, there was a large disposable surplus of revenue, and to that he looked when he gave his vote. Now there was a surplus of only 250,000*l.*, and under these circumstances his present course was perfectly consistent. Without entering into questions of detail as to how far the agricultural interest would be benefitted by the repeal

of the malt-tax, one thing was obvious to all—that a substitute must first be provided before so large a sum could be dispensed with; but it was worthy of consideration that the actual deficit would be much more than 4,600,000*l.*, because the necessary effect of the increased consumption of untaxed beer throughout the country would be, that, in other articles, such as tea and coffee, there would be a simultaneous proportionate defalcation in the revenue.—Mr. Baring, the president of the board of trade, who had been treated as belonging to the same category, said that he had never given any pledge about the malt-tax; he admitted, at the same time, that he should not think of addressing the electors of Essex, if he was not prepared to vote for the fullest protection to that interest, with which they, above all others, were more immediately connected. No doubt his sentiments were well understood, but he made no promise. At the same time he was perfectly ready to admit, that though he made no promise, it would still be a betrayal of his constituents, and an act personally dishonourable, if he voted in that House in derogation of the principles, in which it was understood he and his constituents agreed. If, therefore, there were now a sufficient surplus—if there were a surplus worth dividing, he should be much embarrassed in voting against the motion; for he was aware that there was no interest in the country labouring under severer suffering than the agricultural; at the same time he must say that the anticipated advantage to the farmer from the change had been much overrated. Convinced as he was that there would be no

surplus, he felt bound, though reluctantly, to say, that the slightest hope could not be entertained of the practicability of remitting such an amount of taxation. Let the object in view be ever so advantageous, he could not deliberately assent to creating such a deficiency as the repeal of that tax could not fail to occasion.—Sir R. Gresley, one of the members for Derbyshire, admitted that he had declared himself against the malt-tax during the election; but he would now vote against the motion, because he considered that it put the stability of the government at issue. He was aware that, in giving this vote, he should to a considerable extent offend those who had returned him on the present occasion; but he would be ashamed of himself, if, with a view to his own individual and personal interests, he should by his vote produce such a result as must inevitably ensue if the motion was carried—namely, the turning out of the present government, and installing in their places a democratical administration, the object of whose dominion would be the establishment of annual parliaments, of universal suffrage, vote by ballot, the secularization of church property, the separation of the church from the state, the confiscation of private property, the destruction of the hereditary peerage, national bankruptcy, and civil war. If the mover of the resolution would consent to postpone his motion, until after he had given government a fair opportunity of proposing their measures of agricultural relief, he, for one, would support him on a future occasion. With regard to his constituents, all he had to say was, that he should put to them the question,

whether they preferred the loss of the present government or the repeal of the malt-tax, with the perfect confidence that they would tell him he had done his duty.

Sir James Graham and Mr. Grote spoke against the motion: Mr. Hume spoke in favour of it, both on its own merits, and on the ground that to reduce a tax was the surest way to reduce expenditure. He maintained that no serious difficulty would be found in supplying any deficiency which the repeal of the duty might create. The net amount to be reduced was 4,600,000*l.* Now, in the first place, the expense of the excise establishment was above 1,200,000*l.* a-year, and he was satisfied that, of that sum, 500,000*l.* a-year might be saved by the reduction of the malt-tax. The chancellor of the exchequer had said that 150,000*l.* was all that could be saved by the reduction of the establishment for the collection of the tax. But this was ridiculous. He would contend that it would be 500,000*l.* It might be less or more, but he would fix it at that sum. This would leave 4,100,000*l.* to be provided for. The real deficiency, however, would not be so much. Lord Althorp had stated in July last, that although 6,000,000*l.* of taxes had been reduced since 1830, the loss to the revenue did not exceed one-half. That statement was under-rated. The reduction was 7,800,000*l.*; and the actual loss of revenue did not exceed 1,800,000*l.*, taking into account the income of the previous year. The same principle would apply in all reductions of taxes; and thus, if they took this reduction of the malt-tax, after deducting the reduced expense of the excise establishment, they would find that

the actual loss to the revenue would not exceed much more than 2,100,000*l.* What danger, then, could there be in the reduction of little more than two millions? The budget of last July stated the expenditure for army, navy, ordnance, and half-pay, at 14,000,000*l.*, some odd hundred thousand. In these were the civil list and the pension list, which ought to be reduced. He would not enter into the details of this expenditure; but taking the 14,000,000*l.* and the 4,500,000*l.* for collection, the whole would exceed 20,000,000*l.*; and leaving out the civil list and the judges' salaries, if they were to be untouched, and the half-pay, he would contend that on the whole 3,000,000*l.* might be reduced. Then, if they did justice to Ireland on the Irish church question, 1,000,000*l.* might be saved in the army expenditure of that country, and 3,000,000*l.* at least in the expenditure of our colonies, if justice were done to them. The expense, too, of the militia was a mere waste of 340,000*l.*, and what use was there in keeping the volunteer corps riding about at the public expense? They ought to be reduced. But take only the expenditure of the 14,000,000*l.*, and was there any government which could not make a reduction of ten per cent. on that amount? There was the staff, on which a large reduction might be made. All, therefore, who were anxious to effect an economical reduction in the public expenditure, ought to vote for the repeal of the malt duties, because by that means they would force reduction on the government. They had no prospect of reduction in the king's speech, or in any other speech that he had heard.

In none of these was there any prospect of a reduction of taxation. Let the House, then, force this reduction on the government in the way he had proposed.

On the division, the motion was negatived by a majority of 158; 192 members having voted for the resolution, and 350 against it.

Among the diplomatic changes which took place on the accession of the new government, the embassy to St. Petersburg had been destined for the marquis of Londonderry. Some of the journals devoted to the support of the ministry spoke very unfavourably of the intended appointment, and the opposition determined to make it the instrument of a new attack upon the government. On the 13th of March, Mr. Shiel moved an address to his majesty for a copy of any appointment made within the last four months of an ambassador from the court of London to St. Petersburg, and of the salary and emoluments attached to such embassy. He entered into a statement of the aggrandizing policy which Russia had been pursuing towards Persia and Turkey. He blamed the English government for not having interfered on behalf of Turkey during the war between her and Russia, which was terminated by the peace of Adrianople, in 1829, and disapproved of the conduct of the late ministers in not having stopped the progress of Ibrahim Pacha in 1833, and in allowing a Russian army to be landed on the Asiatic side of the Bosphorus. By the treaty of Constantinople, in 1833, ratified by that of St. Petersburg, in January, 1834, Russia had gained great advantages. Turkey was now united with her defen-

sively and offensively. If Russia went to war with England, Turkey would be compelled to do the same, and the English would find the Dardanelles closed against them. Russia had likewise assembled a large army on the frontiers of Persia; where she seemed to be only waiting a pretext for invasion. In the west of Europe, the influence of that power was felt in every cabinet, tending to countervail the great principle to which all Englishmen were attached. From these considerations he inferred the great importance of a proper person being appointed to the embassy at St. Petersburg. He clearly ought to be wise, sagacious, firm, and discreet. He should be inflexibly attached to those principles to which the great mass of the people of this country were devoted, qualified to protect the commercial interests, and to represent, in his own calm dignity, the honour of this empire, and, perhaps, it might be added, to raise his voice in favour of neglected and unfortunate Poland. Lord Londonderry did not possess these qualities. He might be qualified to act as an orator in the county of Down, but was not competent to perform the part of a diplomatist at St. Petersburg.

Mr. Cutlar Ferguson likewise objected to the appointment, principally on account of the opinions which the marquis had expressed in regard to Poland. He had no objections to the appointment, he said, of a personal nature: he opposed it on public grounds. Last year the marquis of Londonderry had expressed himself in the House of Lords to the following effect:—"Russia was perfectly justified in taking her own line in regard to Turkey, after we had

conceived ourselves justified in taking a separate and distinct line from the other parties to the treaty of Vienna, with regard to the Belgian question ; and as to the encouragement given to the emperor's rebellious subjects of Poland, he believed that noble person to be the first individual who in this country had ventured to call the Poles rebels. A constitution, an independent kingdom, and a sovereignty had been given to them, to which they had as much right as the emperor of Russia to his crown. That sovereign was bound to maintain the nationality of Poland by the treaty of Vienna, to which the ambassadors of all the powers of Europe had affixed their seals ; and that treaty had been shamelessly violated by the Russian autocrat. The Poles were not rebels ; they had been driven into resistance. He did not ask that any person should be sent to St. Petersburg to remonstrate with Russia on her conduct towards Poland ; the time for such a proceeding had perhaps gone by : but of this he was convinced, that we ought not to send as ambassador one who had spoken of the Poles in the terms which he had stated. That House had admitted, and the late foreign secretary had admitted, that the resistance of the Poles to Russia was justifiable. Ought, then, a person to be sent as ambassador to Russia, who entertained a decided feeling against the cause of that gallant, but unfortunate nation, and who maintained that the British government had already gone too far in its favour ? It ought to be the business of our ambassador at St. Petersburg to endeavour, as far as possible, to mitigate the fate of these unfortunate people, who were

at present suffering from proscription, confiscation, and banishment, on account of a revolution which he deemed to have been perfectly justifiable. But this, unfortunately, was not the opinion of the nobleman to whom rumour assigned the Russian embassy,

Lord Stanley expressed similar opinions. As the appointment had not been formally made out, the motion of course would fall, but he trusted that, in deference to the feelings of the people of England, ministers would revoke, even at that last hour, an appointment, which he could not think creditable to the government, or acceptable to the country. The marquess of Londonderry, who had declared his opinion to be unfavourable to the Poles, was the last person whom England should send to Russia. If it was now too late, as he believed it was, to exercise any active interposition in favour of Poland, much might still be done by the known character, and the quiet and constant influence of an ambassador truly representing the feelings of the people, and, he believed, of the sovereign of England. The intended ambassador might have instructions to act upon ; but would these instructions counterbalance his known sentiments ? He would not say that his efforts would be exercised in stimulating to actual severities, but whether would they bear the impress of his own feelings, or of those of the people of this country. He earnestly hoped that the prime minister, to whose inclinations he believed the appointment to be foreign, as it certainly was hostile to his interest, would allow the feelings of the House and of the country to have their influence on the counsels of the government.

Sir Robert Peel said, he was in no degree surprised, that the intended appointment had occasioned dissatisfaction on the opposite side of the House; for no one appointment of the government had as yet produced in that quarter any satisfaction. He had taken the attorney-general for Ireland of the late government, but even that was objected to. The appointment, too, of the paymaster of the forces had been blamed; yet it had been confidently stated, and not contradicted, that earl Grey's government had offered to that very gentleman the office of secretary at war. He had not a doubt, therefore, of the appointment of lord Londonderry being unsatisfactory to those whose policy he opposed; but he wanted to know, from the course of the present debate, what were the allegations which had been made against lord Londonderry? What was there in the shape of a substantive allegation against him, excepting that one which had been brought forward by Mr. Ferguson—namely, that lord Londonderry had expressed an opinion that the late government had pushed their interference on behalf of the Poles to an unjustifiable extent—and had made use of an expression, "That the Poles were rebellious subjects." Why, it was only a few nights ago that they had heard a gentleman sitting on the opposite benches declare,—and apparently with feelings of triumph—that unless every thing the Canadians asked was conceded by the British government, they would become rebellious subjects. With respect to the particular observation said to have been used by lord Londonderry, he knew not whether that expression had been used or not; but he thought it

scarcely fair that any gentleman should come down to that House with particular scraps of speeches delivered in another place, and condemn the noble lord upon those extracts. He had been reading the debate referred to as reported in *Hansard*, and the particular expressions alluded to were not in the noble lord's speech delivered in that debate. In the report in the *Mirror of Parliament* they were not to be found. In a version of the noble lord's speech which he then held in his hand, published more recently, and contained in a very careful report of that debate, not a word of such expressions was to be found. He could not deny the expression, but certainly he could not find it. To judge of individuals, however, by the language they might use in the excitement of a debate, was not a fair criterion by which to try a public man. Did they not all in that House, in the warmth of the moment, and excited by party feeling, for the purpose of criminating a government to which they were hostile, use expressions which, in calmer moments, they never could be prepared to support? Did not instances of that sort take place every night? and was it fair, therefore, in this manner to come down against a public man with a single extract from a speech which it was said he had at some time or other delivered? Lord Londonderry was on the staff of the duke of Wellington from 1809 to 1813, and filled the office of adjutant-general during that time. No doubt, although many might admit his gallantry and devotion to the service, they might still say that this was no conclusive proof of his general ability; yet, if he had

filled the office of adjutant-general for four years during the Peninsular campaign, without there having been one charge brought against him, that was no insignificant proof of his good character. Lord Londonderry had besides served in a diplomatic character from the year 1813 until the year 1823. He was appointed minister to Berlin in April, 1813; he was appointed ambassador to Vienna in 1814, and he retired from the service in 1823, at his own request. Surely the question, after all, was the manner in which he had conducted himself, not, indeed, in his military capacity, not even in his office of adjutant-general, although that office had civil as well as military duties connected with it, but in his diplomatic situation, which he had held with the utmost credit to himself in Vienna, during a very critical time, for a period of ten years. Mr. Canning, on his appointment to office, received the cordial support of gentlemen opposite, on the ground of his foreign policy. They overlooked his opinion on some points of domestic policy, and it was upon his general conduct with respect to foreign affairs that the House was prepared to give his government a fair trial. He was speaking of an early period of the life of Mr. Canning; but no public minister, no man who had served his country, could be but proud of such a testimony to his qualifications and abilities as that which he was about to read. When lord Londonderry expressed his wish to resign the situation he held at Vienna, this was the letter he received from Mr. Canning:—"My lord, — Having laid before the king your excellency's despatch of the 26th ult., requesting his ma-

jesty's gracious permission to retire from the eminent post of his majesty's ambassador at the court of Vienna, I have received his majesty's commands to signify to your excellency the permission which your excellency solicits, accompanied with the expression of his majesty's deep regret for the loss of your excellency's services, and of his full and entire approbation of the manner in which your excellency has, for a series of years, and in times of the most critical importance, conducted the affairs of the embassy intrusted to your charge, and maintained the intimate, cordial, and good understanding so happily subsisting between his majesty and his imperial ally." That was the testimony borne by Mr. Canning to the conduct of lord Londonderry on the last occasion on which he was employed in the public service. Yet this individual was to be excluded from the public service because of the alleged existence of a single expression in a particular speech. If the opposition should think it expedient to make a precedent of interposing between the exercise of the king's prerogative, and to establish it too with respect to the appointment of an ambassador, the House might rest assured that the precedent would not stop there. He had no wish to underrate the objection, but if the other side of the House had a majority, he would say unfeignedly to them, their better course would be to attack the government at once—to ask the crown to remove the government. If government was entirely without the confidence of the majority of the House, why did that majority not address the crown for its instant removal? Surely it would be much better to

take that course than to attempt to lower the prerogative of the crown by the House assuming to itself undue powers, and interfering with appointments which properly belonged to the crown.

Sir John C. Hobhouse inquired of sir Robert Peel, whether he meant to give the House to understand that, in spite of what he had heard, he intended to persevere in the appointment. Sir Robert answered, that, notwithstanding the speeches he had heard, he was not prepared to advise the crown to cancel the appointment. Sir John C. Hobhouse then proceeded to attack the appointment, declaring that the speech of the prime minister was decisive of its impropriety. Of all the dexterous debaters he had ever heard, from the time of Fox down to the present time, sir Robert Peel was the most dexterous that ever wielded the weapons of oratory; and yet with all his dexterity no man could help arriving at the conclusion, that he was aware of the weakness of his cause. He had touched on all possible topics but the real question before the House—whether a nobleman, however respectable in his private character, but entertaining the most decided and avowed opinions on topics which must naturally form the subject of discussion at the court to which he was sent, was the most fit for the situation of ambassador at St. Petersburg? The objection did not rest on a single phrase. Lord Londonderry, in the speech which had been referred to, did not merely say that this country had interfered to an extent wholly unjustifiable in favour of the Poles, but went on to state, that, by the course of policy which the late go-

vernment had pursued, they had become alienated from those powers with which they were formerly on friendly terms, and Austria and Prussia, as well as Russia, being impressed with the belief that Great Britain, instead of being a conservative, a *bien-faisant* power as before, which always exercised her influence in maintaining the peace of Europe, and the rights of nations, as settled by treaty, was inoculated with that virus of revolutionary liberty which they felt to be inimical to their interests and their safety,—where were we to look for support among foreign powers? There could be no mistake about that sentence. If it were merely a loose phrase, thrown out in the heat and excitement of debate,—if it had been said in answer to something that had been urged personally irritating to the noble lord, and in direct contradiction to the whole tenor of his political life and opinions, it ought not assuredly in fairness to be quoted as the groundwork of a charge against him. But the phrase was such as clearly showed that the noble lord disapproved of the whole foreign policy of the late government, that he considered their policy had alienated from them the great military monarchies of Europe by a revolutionary course at home, and had endangered alliance with them abroad, their policy being no longer conservative, but revolutionary. Now, the prime minister having in his manifesto to the electors of Tamworth, in the king's speech, and in his explanatory address in that House, intimated his determination to adhere to the foreign policy of the late government, was it prudent, discreet, and wise to appoint a nobleman

entertaining those views ambassador to St. Petersburg? If that nobleman must be sent as ambassador to some of those monarchies of whose friendship he was so chary, and whom he thought the free people of this country ought above all to conciliate, why not send him to Vienna or Prussia? Why send him to St. Petersburg, to that court, above all others, where he could not possibly do any good, and where it was almost impossible but he must do a great deal of harm? If there was one court to which he ought not to have been sent, it was the court of St. Petersburg, having on more than one occasion expressed himself decidedly of opinion that the Poles were guilty of rebellion. They were not flying opinions, not collected from one speech—they were opinions known to all, concealed from none, and in which the noble lord himself completely gloried; but if so, he was not a fit man to be sent to St. Petersburg; and he was quite confident, if the ministry did persevere in the appointment, the House of Commons would feel it an incumbent duty to take some decided step in relation to it. For he must protest against the doctrine that in the present discussion they were at all chargeable with the slightest infringement of the prerogative, or were extending their own privileges. Although an ambassador was the ambassador of the king, which was true, yet he was sent to act for the interests of the country, and his appointment was as open to be questioned as that of any other minister.

As the motion was for the production of a copy of the appointment, and no appointment had been made out, the motion itself

was withdrawn; but the effect of the discussion, although sir Robert Peel had declared himself ready to maintain the nomination, was to induce the marquess of Londonderry to decline the situation. The debate in the Commons was published on Saturday the 14th; on the following Monday, his Lordship stated in the House of Peers, that he felt, so soon as he had read the discussion in the other House of Parliament, that he had but one course to follow, as a good subject, and one attached to the public service. Situated as he now was, were he to depart from this country, after what had passed in the House of Commons, he should feel himself, as a representative of majesty, placed in a new, a false, and an improper position. He would go, with the remarks and animadversions of one branch of the legislature so strongly imprinted on him, that his efficiency would be impaired, and it would be impossible for him to fill the office to which he had been called with proper dignity and effect. It was on these grounds, standing, as he did, upon his sense of duty to his sovereign, and not meaning to succumb to faction, though he should be devoid of feeling if he were insensible to the scoffs and scorn with which he had been so unjustly attacked, that he had determined, upon no consideration whatever, to accept of the appointment. He had had no communication directly or indirectly with the government. He had neither sought advice, nor had advice been proffered. He had taken this position firmly, and after due deliberation. Other times and opportunities might, perhaps, arrive, when he should feel it to be his duty to wipe away

and remove those unfair, unjust, and unexpected remarks and animadversions which had been levelled at him. He wished to say nothing of the House of Commons; it was omnipotent; but he would ask how any one of the members of that House would like to be placed in the situation in which he stood at that moment? Would not a member, if thus attacked, have claimed the right, and have been allowed, to defend himself? He would not refer particularly to the originator of the motion in the House of Commons, nor to those who followed up that motion; he should merely observe, that statements had been made of a very gross and a very false nature. From the course which had been taken on that occasion, it might be seen (and he hoped the House would reflect on it) how a public servant, when he had done the best that he could for his king and country during a long period—after a service of some thirty years—was likely to be treated. He could safely defy the utmost malice of his enemies to point out one stain on his character, after a service of thirty years. Let noble Lords calmly reflect on the consequences that were likely to result from a system of this kind, when they saw such an unfair course of proceeding adopted against an humble individual like himself, whose great object always had been to perform his duty according to the best of his ability.

The duke of Wellington, besides defending the appointment, and acknowledging the delicacy which had led lord Londonderry to withdraw rather than injure or embarrass the public service, questioned the legality of what the House of Commons had seemed in-

clined to do. There was no part of the prerogative of the crown so important as that of sending ambassadors to foreign courts; nor was there any branch of that prerogative which ought to be kept more inviolate. But the ministers of the crown were responsible for those nominations. They were responsible for the instructions under which ambassadors were bound to act. They were, moreover, responsible for the proper performance of those duties (by the ambassadors whom they selected) to the other House of Parliament, and to the country at large. It was impossible, therefore, for him to believe that the House of Commons would proceed so far as to interfere with that peculiar prerogative, and to say that the person nominated should not fill the situation; inasmuch as, by so doing, the House of Commons would not only take upon itself the nomination of the officer, and the direction of the particular duties which he was to discharge, but would also relieve the minister from the constitutional responsibility of the appointment. He did not think that sentiments of such a description were general; and he could not bring himself to believe that a vote, affirming such a violation of the royal prerogative, would have passed the House of Commons.

The marquess of Lansdowne could not allow it to be supposed for a moment that the opinion of the noble earl's unfitness for this particular situation had any connexion with personal disrespect. Whatever might be the motives of different persons who had concurred in the expression of this opinion, he was most anxious that it should be understood that such an opinion might be entertained

in perfect consistency with the greatest personal respect for the noble earl; because he firmly believed that the greatest objection entertained against the appointment was founded on a belief that, to all the opinions recently recorded and expressed by the noble earl in that House and elsewhere, as to the policy of the late government, and as to the present state of Europe, the noble earl still continued to adhere. When it appeared that, so far as regarded the peace of Europe, as connected with Poland, and as connected with the illegitimate claims of certain pretenders to the throne of both Spain and Portugal — as regarded also the peace of Europe, with reference to a close understanding and alliance between this country and the kingdom of France, on which it was essential that we should found and build our concert for the purpose of securing the general peace of Europe, but to which system he had recently and repeatedly declared himself to be alien and averse — when, on all these points, his feelings were well known, there was no disrespect on the part of the public, when they, believing that the noble earl would act consistently with his avowed opinions, viewed his appointment as the appointment of one who would not be a zealous, willing, and efficient instrument to carry into effect that policy which he had not yet heard was to be changed, and on the continuance of which he believed depended every chance of preserving the peace of Europe, and of this country. It was natural that a great degree of anxiety should be felt on this subject by the public, and it was no less natural that the House of Commons should partake

of that anxiety. It must be recollected that in other countries the same opportunities of looking to their lordships' proceedings and to the deliberations of the other House of Parliament, did not exist as in this. This observation applied, above all, to those more absolute powers in the north of Europe. They judged of the system of policy likely to be pursued by the impression created by personal appointment, in connexion with personal opinions. Upon that ground they were likely to form their conclusions as to the intentions of government. Now, it might so happen that an appointment, however honourable to the person in whose favour it was made; might carry with it an appearance the very reverse of that which the position of the country required, and the very reverse of that which the people hoped to see adopted as the policy of the government. The objection imputed nothing more to the noble earl than a perseverance in that course of policy which he had uniformly advocated. He thought that the noble earl, in declining the situation, had adopted the course which was best calculated to maintain his own character, and the prerogative of the crown, and to support the efficiency of the public service. The duke of Buckingham, on the contrary, contended that these doctrines might be well suited to a committee of public safety, but were not fit to be introduced in a British House of Parliament. He had always considered freedom of speech to be the undeniable right of both Houses of Parliament. He had seen the speaker, attended by the House of Commons, presenting himself at their

lordships' bar, and claiming freedom of speech as their undoubted privilege; but now, for the first time, he found that that privilege was to be made use of to prevent his majesty from exercising his just prerogative. The publication of what was said in that House was a breach of their lordships' privileges; and yet they now found that a report of what was spoken there was made the ground of declaring the unfitness of the noble earl to hold a particular office. It was said, that the noble earl's political opinions differed from the political opinions of others; but was that a fair reason for excluding him from public office? or holding him up as a man unfit to serve his sovereign? If his policy were wrong, or if his conduct were not worthy of approbation, who were responsible for his proceedings? Why the government that appointed him; and if anything were wrong, let that government be questioned on the subject. It appeared, however, that the ministers were not to be held responsible,—they were not to be questioned on this point of policy, but their ambassador was to be made the 'scape-goat—he was to

be sacrificed to the caprice of individuals. With respect to the king's prerogative, he would say that this was the first time he had ever heard of an appointment of the crown being questioned until the office was actually taken. It would have been time enough to have objected, when, by some act of the noble earl, the peace of Europe seemed likely to be disturbed. Those who were in such a hurry to censure, ought to have waited till they had some fair ground of complaint. This was an innovation on the constitution; and where were they to stop? This proceeding, he contended, was a direct interference with the prerogative of the Crown. If this were the first, where would the last be? Encouraged by this success, would not the present attempt be followed up by others? These were times in which they had little to trust to beyond standing firmly by the constitution of the country. He called on their lordships, therefore, to make their stand somewhere, and they could not make a better stand than on a question which affected the prerogative of the Crown.

CHAP. VI.

Bill Proposed by the Ministry to regulate the Marriages of Dissenters—Approved by the Dissenters—Ministerial plan for the Commutation of Tithes in England—Committees on the Military Expenditure of the Colonies, on Sinecures, and on Education, reappointed—Report of Commission regarding the Church of England—Bill for improving the Administration of Justice in Ecclesiastical causes—Sacrifice of Patronage by the Prelates—Bill for the better Maintenance of Discipline in the Church of England—Petition against the Alleged Interference of Government Officers in the Chatham Election—Motion to refer the Petition to a Select Committee carried against Ministers—Motion for an Address to the Crown to grant a Charter to the London University, enabling that Institution to confer Degrees in Arts and Law, carried against Ministers—The Ministers challenge a direct attack by a Motion for a vote of Want of Confidence; the Opposition decline it.

ON the 17th of March sir Robert Peel introduced the first important measure of the government, being a bill to provide relief for those dissenters who objected to having their marriages performed according to the rites of the church of England. After stating how the law now stood and the nature of the objections which were made to it, and admitting the policy and justice of removing these objections where they were sincerely entertained, he proceeded to say that it appeared to him there were only three modes by which the object of the dissenters could be attained. One was, an alteration in the ceremony of the church of England; but this would be doing violence to the consciences of those who adhered to the doctrines of the church, and entirely approved of the ceremony. Moreover, the intended effect of such an alteration could be obtained only by a

concomitant enactment, declaring that all marriages must be solemnized according to the altered form. For, if the form of the church of England were altered in the first instance, and parties were then left to marry according to what rite they pleased, it was clear that nothing would be gained; and, on the other hand, if it was made compulsory on all to marry according to the altered form, he believed it would be found impossible to establish any rite to be performed in the church of England by an English clergyman, which would be satisfactory to the whole dissenting body. He would, therefore, dismiss from further consideration the idea of giving satisfaction to the dissenters by any change in the liturgy, so far as it was connected with the marriage ceremony.

The second mode of relief which had been proposed, was to enable

dissenters to perform the marriage ceremony in their own chapels. This was the plan which had been most frequently attempted, and the last attempt to work it had been made in lord John Russell's bill of last session. That bill provided, that the bans for the marriage of a dissenter should be published in a church by a minister of the established church, in the same manner as they were published at present; that a declaration of the fact of such publication should afterwards be given by the minister of the church, and that the dissenter should then be allowed to celebrate the ceremony of marriage in a dissenting chapel duly licensed for that purpose. The bill also enacted that a license should be issued for the solemnization of marriages in any dissenting chapel, provided that an application for such license should be made by twenty householders; and the quarter sessions had no power to withhold the license if so applied for. The bans of marriage having been previously published by a minister of the church of England, the dissenter was at liberty to have his marriage solemnized in one of the licensed chapels. With respect to registration, the bill provided that the minister, teacher, or preacher, who officiated in the licensed chapel, should keep the registry of the marriages; that the book should be provided at the expense of those who frequented the chapel for the purpose of worship; and that, after a certain period, the registry should be transmitted to the registrar of the diocese, to be kept by him. Now, it was enough to say, that this bill had been rejected by the dissenters, as being altogether unsatisfactory. In one of their petitions last ses-

sion, containing a solemn and decided protest against the bill, they opposed it,—first, because they objected to the celebration of marriages in places of worship exclusively; secondly, because they objected to the publication of bans in parish churches, and to the granting of licenses by surrogates; and thirdly, because they felt that the affixing the license granted for the solemnization of marriage in some conspicuous part of their places of worship would give rise to feelings which it would be better to avoid exciting. The bill was unsatisfactory also to many members of the established church, who objected to be made the instruments of performing the preliminary ceremony of the publication of the bans, in respect to a rite which it was proposed should cease to be sanctioned by the religious forms of the church of England. This second mode, therefore, having so signally failed, after so recent a trial, he would now state to the House the principles on which he proposed to found a bill for the purpose of giving relief to the dissenters. It appeared to him that by far the most efficient and least objectionable mode of giving that relief was, to propose two ceremonies, one a civil ceremony, and the other a religious ceremony; taking care to encourage as far as possible the religious ceremony, but not imposing it as an absolute and essential condition of the validity of a marriage. He would make the civil ceremony an indispensable preliminary of marriage—the security which he would require on the part of society. He would fain hope, however, that the ceremony of marriage would not, in consequence, be divested of its religious character; he believed

that it would not. He believed that so much importance was attached to the religious rite by the dissenting body, that they would, in almost all cases, superadd the religious to the civil ceremony; and he doubted not that the religious sanction so superadded would be more efficient as a sanction, if left to be imposed by the parties themselves, according to such forms as were most acceptable to them, than if prescribed in the nature of a fixed ceremony by the legislature. Every one must desire to see the religious sanction possess a solemn and binding character; but was it probable that it would have the effect of solemnity, or be of a binding nature, if it were not precisely in accordance with the conscientious feelings of the parties on whom it was imposed, and if on the contrary, it were prescribed and determined by law, to which they would be compelled to submit? It would be impossible for the legislature to impose one fixed form of religious ceremony; it must be varied to suit the different opinions of the different bodies of dissenters. The religious ceremony that would suit the unitarians would not suit the independents or the baptists. But it appeared to him, that if the legislature were to leave the different dissenting bodies to superadd to the civil contract of marriage such religious observances as were in accordance with their peculiar opinions, nothing of the value of a religious sanction would thereby be lost. In acting on this principle he was acting in precise conformity with the principle of a bill which passed the House of Commons in the year 1827, and which proceeded in the House of Lords to a third reading, and

which was then postponed only on account of the advanced period of the season. The bill, which related to unitarians, was introduced by Mr. W. Smith, and it directly recognised the principle on which he now proposed to proceed. That principle was likewise recognised by the law of England previous to the marriage act of 1754. The law of England did not require, as an essential and indispensable condition of the validity of the marriage contract, the performance of any religious ceremony. In the famous case of "*Dalrymple v. Dalrymple*," lord Stowell, then sir W. Scott, laid down that principle, and in support of his opinion he referred to the judgment of lord Holt, in the reign of queen Anne, in the following terms:—"It was said by lord Holt, and agreed to by the whole court, that if a contract be *per verba de præsentis*, it amounts to an actual marriage, which the very party themselves cannot dissolve by release or other mutual agreement, for it is as much a marriage in the sight of God as if it had been *in facie ecclesiæ*." In *Wigmore's* case the same judge said, "that a contract *per verba de præsentis* is a marriage, so is a contract *per verba de futuro*; if the contract be executed and the man take her, it is a marriage; and they cannot be punished for fornication." Lord Stowell stated, that in the ecclesiastical courts, as well as in the common law, "the stream ran uniformly in the same course." Things continued on this footing till the marriage act of 1754, which was not intended to give the ceremony of marriage a religious sanction, as a religious sanction; but was only intended as a precaution against fraud and clandes-

tine marriage. The principle was also recognized by the existing law. Indeed, the marriage act of 1754 did not impose the religious ceremony as an indispensable condition in all cases, for that act expressly provided that its enactment should not extend to the cases of the jews and quakers. In some of the possessions of the British Crown marriages could be performed without the intervention of a minister of the established church; in Ireland the presence of a member of the church of England was not necessary to give validity to marriages; neither was it necessary in India.

How, then, could this principle be best applied? The dissenters had objected to the bill of last session, that it required the publication of bans in churches and by ministers of the established church; but if he could devise any other mode, which, while it would give effectual notice, would relieve the dissenter from the necessity of conforming to the religious rites of the establishment and spare the conscientious feelings of a minister of the church the pain of assisting in a ceremony which was in opposition to the forms prescribed by the establishment, he thought that the object he had in view would be effectually answered. The form he intended to propose would be very simple; and if, when he had laid his views on this question before the House, this was found not to be sufficient, why then let the dissenters join with him in framing one which would answer the ends better. If there were two parties who had an objection to the form of marriage as solemnized by the church of England, they would have with-
in their power the remedy which it

was the object of the bill to secure to them. But he did not wish to make this enactment compulsory on all who conscientiously differed from the doctrines of the church. He did hope that, the impediment of pride being removed, the dissenter, when it was no longer absolutely necessary for him to be married according to the forms of an establishment to whose doctrines he could not subscribe, would in many instances not avail himself of the kind of relief proposed by the bill. He did not wish to repudiate and reject the dissenter from joining in the performance of the common rites and ceremonies of the establishment, if he thought proper to do so; but, on the other hand, if he objected to those rites and ceremonies, the bill would give him a full and satisfactory remedy. He proposed, then, that the two parties intending to be married, having resided for seven days previously in some hundred, should present themselves before a magistrate at a given period, for the purpose of entering into a civil contract,—that they should acknowledge the contract in his presence, and that there should be an acknowledgment in writing of the contract by those who would then be standing in the relation of husband and wife to each other. The acknowledgment might take place not later than three months after such residence, and not earlier than fourteen days. He preferred a single magistrate for this purpose; because, when it was considered with what feelings persons would come to enter into this engagement, and the nature of the parties attending at the petty sessions, the value of the remedy would be much impaired by requiring the

acknowledgment to be made before a bench of magistrates, assembled to try prisoners, and the grace and favour of the concession would be much diminished, if it were confined to so public an occasion. The parties would have to make oath that they were above the age of twenty-one years, and if they were below that age, that they had the consent of their guardians or parents, and that they were not aware of any lawful impediment to the validity of the contract. It might be said that a door would be opened to clandestine marriages by the non-publication of bans, but he believed that it would be found that in most clandestine marriages which had taken place, the parties had been married by bans and not by license ; and he did not think that the publication of bans was generally found to answer the purpose of publicity. He apprehended, however, that his bill would provide all the security which was given by license. But if, on experience, it was discovered that clandestine marriages were more frequent owing to the operation of this bill, he was sure that the members of that House would all have a common object in providing more efficient safeguards against this evil. After the ceremony had been gone through, a copy of the acknowledgment of the contract was to be transmitted to the clergyman of the parish, not however, by the dissenter, who was not to be forced to enter into contact with a clergyman of the establishment, but by the magistrate who took the acknowledgment. He was sure that the clergyman would not object to being made the registrar of these engagements ; and as it was a great object to keep the registries of all marriages

together, he knew of no better plan that could be adopted, at present, than to confide them to the custody in which they now were. He was considering the question of a general registry, but as it was impossible for him, occupied as he was, to bring forward everything at once, he thought it most advisable to select, according to the system now in use, the best depository that could be found, in order to prevent, as much as possible, the inconvenience that would arise from the want of civil registration in one place for the members of all religions. The expense would be trifling. The whole amount of fees, for taking the acknowledgment, &c., would not exceed 7s. ; and 5s. would be paid to the parochial officer, or the clergyman of the parish, for registering the civil marriage, which he apprehended would altogether be found to be much less than the average charge for performing the marriage ceremony. With regard to members of the church of England, it was not his intention to propose any alteration in the laws that affected them in this particular. He believed that they were quite satisfied with matters as they stood, and he proposed to retain for them the advantage of a ceremony which conferred the same civil rights as the dissenters would now enjoy, without being obliged to go through the ceremony, and super-add a religious sanction to the civil contract.

The dissenting members in the House, and those members, who, though they belonged themselves to the established church, had always been the strenuous advocates of the dissenters, received the announcement of this measure with warm eulogies. They ap-

plauded the just, liberal, and kindly spirit in which it was conceived, and had been propounded; they admitted that it was a much happier attempt to grapple with the difficulties which surrounded the subject than had hitherto been made. They expressed dislike, however, partly of the registry of marriages being committed to the established clergy, and partly to the necessity of an application to a magistrate, because so many of the magistrates were clergymen; but the principal objection was founded on this, that there still would remain a distinction in the eye of the law, between the marriages of churchmen and those of dissenters. The bill, it was said, did not place persons of different opinions on exact equality; and perfect civil equality was the great point for which the dissenters were contending. "It will be to them," said Mr. Wilks, "a great and insuperable objection, that they are themselves restricted to this mode of entering into the marriage contract. The provision for confining the use of the remedy to the dissenters would tend to represent them as persons indifferent to religion, and as degraded both in intellect and character. It was in effect to say to them, 'you may be married in a different manner from that by which the rest of the community are bound.'" The proposed measure would thus divide the population into two great classes, those who regarded marriage as being merely a civil contract, and those who regarded it as a religious ceremony. The same law, said sir John Campbell the late attorney-general, ought to prevail both as to dissenters, and members of the church of

England, viz. that the civil contract should form the marriage—should be the *ipsum matrimonium*. The principle of this very measure, it was contended by Mr. Cutlar Ferguson, would never be fully established, till marriage, which, in his opinion, had nothing to do with a religious ceremony, was made altogether a civil contract. In not laying down this principle, said Mr. Whittle Harvey, as the foundation stone, you lay the source of all imperfection. First declare marriage to be a civil contract only, and then enforce the same mode of entering into it among all persons alike. After having signed before a magistrate any form which might be thought fit, in order to secure the great interests of property and all social relations, leave the parties to celebrate the event by any other accompaniment which their judgment or inclination might suggest. If they would only commence by declaring that marriage was a civil contract requiring to be celebrated according to certain forms, the parties being at full liberty to follow out their religious impressions by any supplemental acts which they might choose, all objections would be at once removed. Dr. Lushington highly approved of the general principle of the measure, but did not wish it to go forth to the public that the chancellor of the exchequer was altogether correct in stating that, prior to 1754, marriage had been created by the law of England as being merely a civil contract, validly contracted though not contracted in *facie ecclesiæ*. Although in ancient times a marriage without a priest was valid, yet, by the Council of Trent, it could be required to be celebrated

in a different form. At the Reformation we refused to receive the provisions of that council, and the law came into this state, that if a man accepted a woman for his wife *per verba de præsenti*, he contracted a marriage valid in some respects, but null in others. It was not a valid marriage in regard to real property. It undoubtedly had been the practice of presbyterian clergymen in England to marry, and these marriages were good and were bad for different purposes. The question had subsequently attracted great notice, as regarded Indian marriages. Mr. Canning, who was then president of the board of control, took all the best legal opinions, and the conclusion arrived at, after much deliberation, was, that these marriages were not good as regarded real property, on which an act of Parliament passed to render them valid. This was the law of England prior to 1754, and in some of the colonies this was the law which still remained.

This bill was followed in a few days afterwards by another relating to a matter of still greater importance, and in which, as in regard to the dissenters, the late ministry had proposed a measure which they had immediately found it necessary to withdraw—viz. the commutation of tithes in England. Sir Robert Peel, on whose shoulders the whole weight of business seemed to rest, and whose talent, indefatigable labours, and constant state of preparation in regard to everything night after night, were extorting the applause of his opponents and rousing the interest of the country, brought the subject before the House of Commons on the 24th of March. He entered into a review of the

different measures which at various times had been proposed for the settlement of this matter, especially the bills introduced by the late government in 1833 and 1834, examining the principles on which they had been founded, and pointing out the difficulties and defects which had occasioned their failure. To the bill of 1834 he especially objected, that the rate of tithe, which it directed to be ascertained, and on which the commutation was to be founded, was not to be determined by any reference to the land or its productiveness, but by a reference to some district in which the justices sat to whom the returns were to be made. Now this would be an arbitrary assumption of the value of a district by justices of the peace, or a definition of the value of land without any reference to the land itself; and as the districts would include land of totally different kinds, and upon which the rates of tithes were totally different, such a course of proceeding could never give satisfaction. It was quite possible that the total amount of tithe, if the average was spread over the whole of the district, might be fair towards the whole body of landlords and clergy, but that would not be enough to satisfy such a country as this; because if, in any one particular district, the result was to aggravate the burden of the payment of tithes, it would be no consolation to tell those who were sufferers by the change, that upon the whole the balance had been fairly struck. The principle could not be assumed over a large district in this country, of any fixed amount of tithe on the amount of rent. That would depend on two considerations entirely distinct;

the amount of tithe was determined by the produce of the land; the amount of rent was not, but by the expense of the cultivation of the land. Supposing a farm of a certain extent produced 100 quarters of wheat, which sold for 300*l.*, and the expense of the cultivation of that farm to be only 200*l.*, there would be a net profit of 100*l.* left to remunerate the farmer for his labour, and out of which rent might be paid. Supposing another farm, of an exactly equal extent, produced a precisely equal quantity of corn, at a cost of 250*l.*, then there would only be 50*l.* left for the same purpose, after replacing the amount laid out in the cultivation. The amount of tithe in each case was the same; it might be 20*l.*, so that the proportion in one case would be as 20*l.* to 100*l.*; under the other as 20*l.* to 50*l.* Any principle which assumed a fixed proportion between the amount of rent and tithe, and applied that universally, must be subject to objections which would preclude the satisfactory operation of any bill founded upon it. Whatever district might be taken, though the disproportions might not be so great as he had stated, yet the inevitable consequence would be to reduce the amount of tithe in one case, and to increase it in another.

He had sought, therefore, for a plan less complicated and more likely to give general satisfaction. The principle, which he considered, and had always considered preferable to any other, was to give a perfectly fair trial, with great facility and encouragement to the voluntary commutation of tithes. In favour of the voluntary commutation of tithe he would refer to a document

which had been presented to the House by the member for the university of Cambridge, containing an account of the several parishes in England and Wales, in which commutation for great and small tithes had been authorized under acts of Parliament from 1757 to 1830; from which it appeared that in no less than 2,000 parishes in this country, in consequence of voluntary agreement, there had been a commutation of tithes. It was to be recollected that those commutations had been effected subject to great difficulties and expense. In each of the cases there was first of all the labour of obtaining a private act of parliament, and then there was the expense,—in which cases, it had not been less than 2,000*l.* By removing the impediment of applying for a private bill, and the great expense attending it, he could not but think that great progress would be made towards general voluntary commutation. The principle then would be this—not only to afford encouragement for effecting the object, but to facilitate a commutation upon a totally new principle. He would propose that a commission should be appointed to superintend the whole, and the smaller the number of persons who composed the commission the better. The commission would consist of three members, two named by the Crown and one by the archbishop of Canterbury. These commissioners would have the power of appointing an assistant-commissioner; and, in every parish, after due notice, the tithe-owner and the tithe-payer would be entitled to meet for the purpose of considering the possibility of effecting an amicable arrangement. He would empower the commissioners to send down

an assistant-commission, with a full knowledge of the circumstances, to be present to hear the respective claims; and having a knowledge of the law, after hearing what was alleged, in case there should be any difference between the parties, to suggest a form of settlement. He would not bind the assistant-commission to any particular terms, but to look at all the circumstances, to be in one sense merely *amicus curiæ*, to suggest what might appear to be right, and then to leave it entirely to the parties. He would provide, that in case two-thirds in point of value of the tithe-payers should agree with the tithe-owner, then their consent should bind the other tithe-payers. If the tithe-owner, however, and two-thirds of the tithe-payers should consent, still the agreement should not be binding, until it had been submitted to the commissioners, who should review the circumstances, in order to prevent fraud and collusion. He would propose that the money payment for substitution should be what was commonly called a corn-rent in lieu of tithes, which corn-rent should be subject, at the option of each party, to a periodical revision, and should vary only according to the price of corn. He was not disposed to take the price of wheat alone, for it had not of late borne a fixed, proportionate value to the value of corn, but would take the periodical variation of the money payment in the shape of corn-rent, to be determined by a reference to the price of all descriptions of grain—corn, wheat, and barley. He would not impose upon any parish the necessity of the attendance of an assistant-commission. If they could settle the thing amicably among them-

selves, there could be no reason for the assistant-commission going down, but the agreement could not be binding until it had received the assent of the commissioners. Where the amount of the corn-rent had to be determined, of course it would be necessary that there should be an assessment, and that should be made by the authority of the assistant-commissioner. In the case of moduses, or in cases of disputed moduses, he would allow a reference to the commissioners, or, if the parties wished it, a trial in a court of justice upon points of law. He would, if possible, have some authority that could determine disputes without incurring expense. With the consent of both parties in any given parish, a portion of land might be set aside in lieu of money payments; but the rule should, in the first instance, be money payments. The period for periodical revisions would be every seven years, allowing either party, in order to provide for changes in the value of corn, to vary the amount of the corn-rent according to the average prices of corn for the preceding seven years. The bill would be limited, in the mean time, to five years.

This plan he confidently trusted would bring about a voluntary commutation of tithes in a great number of parishes; and there could be no doubt that a voluntary commutation would be much better than any compulsory plan that could be thought of. Considering the varieties of interests in the different parishes — considering that each parish consisted of a distinct territory, almost a distinct kingdom; that in some there was a modus for small tithes, in others for great tithes; that in

some there were three or four parties—a vicar, a rector, a lay impropriator—each party entitled to a share, he was afraid it would be extremely difficult to lay down any general rule by which any party, who might have to arbitrate in the matter, could do so with effect. Therefore, he proposed to enable parties to decide the question for themselves, and the rule, if universally applied, would undoubtedly preclude the necessity of an application to law. The rule was local knowledge, a sense of common interest, and a desire to effect a settlement, removing all the present difficulties and expense. It was a rule which could be applied with the nicest tact to varying circumstances, and which, if it succeeded, would have the effect of giving more satisfaction than any other that could be devised. With regard to the parishes where no arrangement could be come to, the knowledge that would be obtained from the parishes in which the arrangement was in operation would enable the legislature to fix upon an equitable compulsory commutation for those parishes. He considered it to be of great importance to make this bill as simple and as intelligible as possible. Therefore, he did not intend to burden the measure with any question of redemption. First get the commutation, and then it might be determined what the principle of redemption ought to be, should it be thought wise to have a redeeming power at all. He concluded by moving the following resolution:—"That it is expedient to give facilities for the commutation of tithe in the several parishes of England and Wales, and for a payment in money in substitution thereof, to

be apportioned on the tithable lands in each parish, such payment to be subject to variation at stated periods, according to the prices of corn, or for the allotment of land in lieu of tithe in parishes wherein the parties concerned may consent to such allotment."

The resolution was agreed to unanimously, and a bill founded on it was ordered to be brought in; several members, however, expressing their belief that the very circumstance of the plan being voluntary would render it nugatory. It was mentioned that about ten years ago, in consequence of the infinite tithe litigation of Stoke-upon-Trent, a bill had been passed authorizing commutation, by giving land, money, or a corn-rent, but in hardly a single instance had it been effected except by money, certainly in no case by a corn-rent. It was not a common thing for a tithe owner to charge his land with a corn-rent; indeed he would just as soon leave it subject to tithe as to an irredeemable corn-rent. Lord John Russell admitted that the proposed bill did seem to avoid some of the objections, which, fairly enough perhaps, had been urged against former propositions; but, at the same time he did not think that it was at all likely to produce the general commutation which was expected, while he entertained no doubt that in many places it would be productive of great dissatisfaction. Nothing short of a compulsory measure could lead to general commutation, or produce any change sufficiently extensive to deserve being described as a great practical good. Other members again considered the framing of such a measure as would set the tithe question at rest, an achievement utterly be-

yond any man's ability. Labour at it as they might, they could only arrive at an approximation to justice, and therefore they were averse to all compulsory enactments. It was said to be a fallacy to argue from the number of voluntary commutations which had already taken place to that which might be expected, because the former had occurred principally in parishes where inclosures were contemplated. In such places the tithe-payers told the incumbent, that unless he agreed to a commutation, they would not consent to the intended inclosure from which he was to derive benefit. As the commutation in such circumstances, was an obvious gain to the payers, and the inclosure an obvious benefit to the tithe-owner, they had a mutual advantage in agreeing to the arrangement.

While the ministry, by the introduction of these more important measures, were vindicating their claim to the character of men who regarded in their policy the true prosperity of the country, and were not wedded, either by interest or inclination, to any thing which might interfere with its welfare, their conduct in other matters, not so formally made the subject of discussion, furnished manifold indications of the same spirit, and grievously disappointed the opposition, who had been predicting the continuance and the restoration of all manner of abuses. In the preceding session a committee had been appointed to inquire into the military expenditure of the colonies, with a view to its reduction; that committee was re-appointed. A Scotch radical had sought notoriety by declaiming against the abuses of the post-office, and had obtained the nomination of a commission to investi-

gate the condition of that establishment. This commission having expired after making one report, a new commission was now issued. Even the committee on sinecures was re-appointed, Sir Robert Peel declaring that he had no hesitation in saying that the minute of the late Board of Treasury on the subject of these offices would be carried into effect. He re-appointed, likewise, the committee of last session which had been named to inquire into the state of education in England and Wales, and into the application and effect of the grant then made for the erection of school-houses, and to consider the expediency of further grants in aid of education. Lord Ebrington, having inquired whether it was intended to lessen the grant to the Irish Board of Education, or to alter the principle on which that Board proceeded, was informed by Sir H. Hardinge that no intention was entertained of interfering with the system of education which the late government had directed to be followed, and that the grant, instead of being diminished in the present year, would probably be somewhat increased.

One of the first acts of the new ministry had been the appointment of a commission, consisting principally of the heads of the church, to inquire into and report upon the changes which might be effected in regard to ecclesiastical territory, income, and patronage, so as to render remuneration and labour more commensurate with each other, to enforce residence, and destroy the necessity of pluralities, by providing for all a sufficient revenue. The first report of this commission was presented to the House of Commons, on the 19th of March. It proposed a

new arrangement of the dioceses, and the erection of two new bishoprics, one of Manchester, and another of Ripon, the former to be principally taken from the diocese of Chester, while the arch-diocese of York was to supply the latter. On the other hand, the sees of Bangor and St. Asaph were to be united, and those of Llandaff and Bristol, the outlying parts of the diocese of Bristol in Wiltshire and Dorset being joined to that of Salisbury. It was likewise proposed to deprive the see of London of those parts of the metropolitan diocese which lie in Essex and Herts, giving to London in return all that in the represented metropolitan districts belonging to Canterbury or Winchester, so as to make the diocese nearly co-extensive with the represented metropolis. Essex was to be transferred to the bishopric of Rochester. In regard to emolument, the principle adopted was, to proportion, as far as might be, the revenues of the bishops to their several stations and duties, not making any reduction where the income did not exceed 5,500*l.*, and making no addition where it amounted to 4,500*l.* This approach to equalization would diminish the inducements to translation, besides the advantage of a discontinuance of commendams. It was suggested, however, that a larger provision would be necessary for the two Archbishoprics, and for the bishoprics of London, Durham, and Winchester. They recommended the division of large parishes, the revenue of new incumbents being supplied from prebends and other preferments which might fall; and all the commissioners, including the Lord Chancellor, surrendered their patronage for the purposes contem-

plated in the report. On this principle the commission had disposed of two prebends which had already become vacant, one in Westminster, and one in Canterbury. The parish of St. Margaret, Westminster, was divided, and the income of the parochial minister being added to the income of the prebend, one-half of the aggregate sum was to be allocated to each of the ministers of the divided parish; a similar arrangement was made for Canterbury.

On the 12th of March the Attorney-General obtained leave to bring in a bill for improving the administration of justice in ecclesiastical causes, one of the measures which had been referred to in the speech from the throne. In January, 1830, a commission was appointed (subsequently renewed in the month of July the same year) for the purpose of investigating ecclesiastical matters, and the report was made in the month of February, 1832. That report contained many valuable suggestions; and having in part subsequently received the sanction of the House of Commons, a bill was prepared with considerable care in the latter part of last year, which, he believed, received the sanction of nearly every one who had been consulted on the subject. It embraced a great variety of particulars, but he proposed calling the attention of the House merely to two, one relating to the ecclesiastical court, and the other, to the discipline of the clergy—these subjects being of prominent importance and pressing necessity. It was obvious that the existence of so many different tribunals, amounting to nearly 400, and embracing diocesan and archidiaconal courts, peculiars of various descriptions, and some

manorial courts, must lead to considerable inconveniences, possibly to conflicting decisions, and in many instances it was almost impossible that there could be an adequate judge, so that practically a denial of justice was in many instances the inevitable result. It was proposed by this bill to consolidate into one court all these separate tribunals, and prevent in future anyone of them entertaining any contentious jurisdiction whatever. It was also proposed to limit the new court to certain matters which were considered of sufficient importance to occupy its entire attention, and transfer to the ordinary courts of law others which had been hitherto investigated in ecclesiastical courts. The most important matters, in which the ecclesiastical courts hitherto had jurisdiction, related to testamentary and matrimonial causes, which it was proposed they should still retain; but of all jurisdiction as to tithes and other subjects, enumerated by the learned authors of the report as civil and spiritual, it was proposed to deprive them. They would also be prevented from intermeddling in those offences which related to the clergy, neglect of duty, statements of opinion not in accordance with the doctrines of the church of England, and questions touching the relaxation of discipline; the cognizance of these would be provided for by a separate bill; while all cases of defamation, brawling, laying violent hands in the church or churchyard, and immoralities, to which he would not particularly allude, might very well be left to the law as it now stood in the ordinary criminal courts of the country. With the exception of suits for nullity of

marriage, adultery, and incest, questions of that nature would also be withdrawn from the ecclesiastical courts. It was further proposed, to give the judge of the ecclesiastical court the power of sending an issue to be tried, in the same manner as the judges of the courts of equity were in the habit of doing when a question turned on matters of fact. There would also be an appeal from the court to the privy council, and the existing appeal tribunal, the court of delegates, was to be abolished.

All parties approved highly of the proposed changes; but the opposition insisted that, though the commission had issued under the former ministry of the duke of Wellington, the credit was due to them, as a bill nearly similar had been prepared by them in the course of last session. The ministers observed that there was no very high merit in the somewhat mechanical operation of framing a bill, when its clauses had been fixed by learned and laborious commissioners; and even if the government had no other merit than that of having adopted the recommendations of the commissioners, was that the conduct of a government adverse to all improvement? Dr. Lushington pointed out the necessity of following out the recommendation of the commission, to abolish the numerous sinecures connected with this department to the extent of 60,000*l.* per annum. These situations were in the gift of the archbishops and bishops, and it was only doing these reverend persons justice to state with what willingness they had agreed to their abolition. He had deemed it his duty, as one of the commissioners to put into the hand of the archbishop of

Canterbury, a proposition, taking from him patronage to the amount, altogether, of 10,000*l.* per annum, for the greater part sinecures, divided into many offices, one of great bulk, seven or eight varying from 1,500*l.* to 500*l.* a-year, which his predecessors had retained, others performing duty, and they themselves taking the greater share of the emoluments. Within the short space of ten minutes his grace returned in answer that it was just, right, and fitting, that the proposal should be acceded to, and he would not for an instant hesitate to resign the whole of it into the hands of the commissioners. In the same feeling every one of the right rev. prelates on the commission signified their entire concurrence and readiness to part with their share of patronage. While the House had the opportunity, then, he hoped they would avail themselves of that recommendation, and after providing, as they ought to do, for existing interests, relieve the country altogether of those unnecessary burthens, which, as sources of patronage, had produced great inconvenience and some obloquy on those who had hitherto disposed of them. Sir Robert Peel expressed his entire conviction that no true legal reform could be effected until every thing like a judicial sinecure was destroyed, those who enjoyed vested interests being compensated. He understood that a bill to abolish these sinecures was to be introduced, and any motion made with that object would have his most cordial support.

On the same day the Attorney-General obtained leave to bring in another bill, having for its object the better maintenance of the discipline of the church of England.

On the other hand, some minor topics intervened in which ministers found themselves unable to resist the numerical force of their opponents, who enjoyed the gratification of showing that they could display a majority on a division, although they could not venture to make use of that majority to restore themselves to power. A petition was presented complaining of colonel Tremenhere, an officer in the public service at Chatham, as having interfered unconstitutionally in the election for that borough. The government candidate had been returned, and there was no petition against the election; but the charges now made were, that colonel Tremenhere, after the election, had excluded all slop-sellers from the marine barracks, except three who had voted for the successful candidate, sir John Beresford, and that, previous to the election he had used words to an elector expressing a hope that government would occasion the shutting up of half the shops in the town, if it returned the opposition candidate, captain Byng. On the 24th of March, Mr. Hodges moved that this petition should be referred to a select committee. It was explained, that the order to exclude slop-sellers from the barracks had been issued without any reference to the election. In January several ships had been paid off, and the marines belonging to them were taken into barracks. They had all money coming to them; and the commandant, knowing the practices of the slopsellers, and the manner in which the men were plundered, issued an order to prevent the slopsellers and pawnbrokers from going into the barrack-yard as usual, and on inquiry

into the characters of those who were in the habit of visiting the barrack-yard, three only were allowed to be exceptions to the rule, but of these three two were not voters, and one of these two had acted as an agent for captain Byng. As a proof that the order was intended to apply only to the particular circumstances of the paying off of the ships; the order was rescinded on the 14th of February. As to the conversation between the commandant and a deaf man, regarding what the government ought to do to the shopkeepers if admiral Beresford was not returned, it was wholly unworthy of the attention of the House. If such scraps of conversations were to be made the grounds of charges on which the House was to inquire, where would be the end of these inquiries? But if these statements were not satisfactory, sir E. Knatchbull stated, on the part of the accused, that he had no objection to a committee of inquiry. Sir Robert Peel, however, thought that this was going too far. He could well understand that, under such a charge, the personal wishes of the individual would be that his conduct (if the explanations of his friends proved insufficient to satisfy the House) should be submitted to any examination that the House might require; but he could not think that the personal wishes of any individual ought to be conclusive upon the point. In the petition blame was attached to certain expressions alleged to have been used by colonel Tremenhere to another individual on the subject of the election, and there was also a charge that he had perverted the authority, with which he was invested, for the purpose of influ-

encing the election. Now, the latter charge, he thought, stood on very different grounds to the former. A charge against an individual of abusing authority with which he was clothed was one upon which the House of Commons might properly proceed; but to the appointment of a committee to inquire into language which had been used at the time of an election, he for one would not consent. The reform bill had not deprived the gentleman in question of his franchise, and he had a full right to speak freely his sentiments upon the subject of the contest, and if even in the course of conversation with a private individual he had spoken strongly, he would never countenance a committee of inquiry into such a subject. Such a committee would amount to the inquisition; but, on the other hand, the charge of abuse of authority stood on very different grounds, and he should, therefore, move an amendment to the effect that the inquiry of the committee to be appointed be limited to the official conduct of colonel Tremenhere, as the officer in command at Chatham.

The opposition insisted, both that the case was one of an abuse of military authority for purposes of intimidation, and that words must be inquired into to get at the motives which produced the order. The conduct complained of by the petitioners was, that the commandant, in his military capacity, had promulgated, a few days after the election, a vexatious order, of which the petitioners would not have complained, if it had been acted upon with fairness and impartiality, but that, inasmuch as two or three shop-sellers who supported one interest

were admitted into the barracks, whilst others who had supported the adverse candidate were excluded, they regarded the order as intended to interfere with the free exercise of the elective franchise. In this opinion the petitioners felt themselves fortified in consequence of a conversation having occurred previous to the election, in which colonel Tremenhere was alleged to have said, that "if Chatham did not return admiral Beresford, he hoped the government would take such measures as might have the effect of shutting up half the shops in the town." It was impossible, therefore, to shut out from the inquiry this evidence of the *animus* in which the orders in question were issued. The *animus* was the only question in the case, for no man doubted the perfect right of the commandant to issue such orders. It was true that, of the three persons excepted from the operation of the order, two were not voters; but then they had been heard to declare that, if they had possessed votes, they would have given them in favour of admiral Beresford, and the third had actually voted for him. The order itself was unprecedented, though in itself legal. It had not been cancelled, till it was known that this petition was in the course of preparation; and these facts, coupled with the conversation which displayed so much partisanship, fully called for an investigation as to whether or not the order had been issued with reference to what had taken place at the election. The motion was carried by a majority of 31, the votes for it being 161, and against it 130. No report was presented.

The ministry was again left in a minority, and, from the inatten-

tion of their friends, a much smaller one, on the 26th of March, when Mr. Tooke moved an "address to his majesty, beseeching him to grant his royal charter of incorporation to the University of London, as approved in the year 1831 by the then law officers of the Crown, and containing no other restriction than against conferring degrees in divinity, and in medicine." Mr. Goulburn, home secretary, moved as an amendment, that the address should be for copies of the memorials which had been presented against granting the charter, together with an account of the proceedings before the privy council. The memorials against the charter had been presented from the Universities of Oxford and Cambridge, the College of Surgeons, and the College of Physicians; the whole matter had been maturely considered by the privy council; and the supporters of the amendment, therefore, argued that the House could not, with any sense of propriety, at once interfere with the prerogative of the Crown, calling for a charter, and pointing out the conditions under which it should be granted, until, at least, they were fully informed of the state in which the question now stood. A similar motion had been made last session, and withdrawn at the request of lord Althorp, the matter being referred to the privy council. That privy council contained persons deeply interested in the London University, who lent to the demand all the aid of their talents and zeal. The investigation of the claim, and of the opposition to it, had taken place before the privy council in April last, and yet, at the removal of the late government in November, nothing had

been done to follow up the result of that inquiry. This showed that, even when the claim of the institution was in the most friendly hands, the late government had found some difficulty attending the subject. The present government was, therefore, justified in pausing before a charter was granted, and the House had also a right to know what had taken place before the privy council, and what decision had there been come to, before acquiescing in the motion. The motion itself stated that the proposed charter had been revised in 1831. The known friends of this institution had been in power ever since; yet nothing had been done, except carrying on an examination, which had ended, so far as appeared, only in enabling them to do nothing. Why then was the demand urged on the new government so hastily and imperatively? As to the charter itself, what benefit would the institution derive from the power of granting degrees? It needed no charter to enable it to confer distinctions and literary or academic honours upon its students, for those it already conferred. The value of honours at the Universities consisted in their being given, not by tutors in their respective colleges, but by a class of examiners selected from the university at large; but the granting of a charter to the London University would only be, as it were, conferring one on a particular college, and the degree would be of no more value than a college certificate. Oxford and Cambridge had no wish to prevent a charter being granted to the London University, or to insist that the charter should not contain a provision to enable it to confer academical honours. The

University of Oxford, in the petition to the king, which had been referred to the privy council, stated that they were by no means desirous that an institution formed for the promotion of education and science should be restrained from bestowing marks of honour on its members; but such marks of honour, they said, in civil law and theology, should not bear the same titles as those conferred by the Universities of Oxford and Cambridge. Why not?—because the degrees conferred by the Universities of Oxford and Cambridge have been taken as qualifications for candidates for certain situations of great trust, as the heads of schools, and other institutions endowed by the liberality of individuals who had provided that the persons who filled those posts should have the qualification of master of arts, meaning not master of arts of a new institution, but of one of the ancient universities of the country, and this out of regard and anxiety to preserve the religion of the established church. The ancient universities were not anxious to prevent the diffusion of knowledge, and were ready to consent to a grant to the London University of power to confer academical honours, provided they did not bear the same name as their own, and thus be the means of producing mistakes in the world as to what universities they came from.

The opposition again urged, that all the university wanted was, a right to grant degrees in arts and in law, with probably the same initials as in the universities presently recognized, and those degrees it looked for in the expectation that the public would receive them with that respect to which

they were entitled from the instruction communicated in the institution. It might be true that the degrees of a new institution might not be of equal value with those conferred by universities which had been established for ages, but that was a reason why they should be thrown open to competition, for it was only by competition that excellence could be attained. The opposition had come from the universities after refusing to admit dissenters to their honours; but the universities, in proportion as they opposed that admission, should be prepared to open those avenues through which similar advantages might be given to dissenters in other institutions. There was no necessity to wait for the proceedings of the privy council and the memorials which had been laid before it. The home secretary knew them all; and if they had furnished him with either facts or principles to induce the House to pause, he undoubtedly would have stated them. The proposition had not been pressed while the former administration was in power, because that administration was favourable to the admission of dissenters into the established universities of the country. But now, when there was a government hostile to that admission, it became necessary to press the motion. If, however, government would consent to unite the London University and King's College, London, as one general university having power to confer degrees, the motion might be withdrawn, and in that case the Crown might retain to itself the power of appointing examiners to prevent the improper multiplication of degrees.

Sir R. Peel requested the House

to bear in mind the terms of the motion. It was for an address to the king, beseeching him "to grant his royal charter of incorporation to the university of London, as approved in the year 1831 by the then law officers of the Crown." Now, he should think that a man, who had not read the report of those law officers, was not very well qualified to place the restriction contained in the latter part of the motion upon the required act of the Crown. The proposed address was for the grant of a charter, but that charter was to be on the principles and in conformity with the recommendation of the law officers of the Crown made in the year 1831. Would it, then, be a fit course to address the sovereign to grant a charter to a certain body according to certain recommendations, without first having the claims, the terms of the regulations, in short the materials upon which to ground a judgment, laid before it? The motion went still further, and proposed that such charter should be granted, "containing no other restriction than against conferring degrees in divinity and medicine." Now it might be quite right, and there might be many good reasons for restricting the proposed charter in respect to degrees in divinity; but he should like to know why any restriction should be imposed with reference to degrees in medicine? He was the more anxious for a reply to this inquiry, inasmuch as he had an account of the state of the London University in the year 1833, from which it appeared that there were in that year 480 students attending that institution; of these 293 were students in medicine, 113 students in the arts, and seventy-four stu-

dents in law. It required explanation why to-night the House should be called upon to address the Crown to give the privilege to this institution of conferring degrees to about 190 students in the arts and law, and at the same time advise a restriction which went to exclude from degrees 293 students in medicine. Undoubtedly the strongest indication of opinion against the grant now sought was made, not by those who at present occupied the ministerial side of the House, but by those who did so in the last session of Parliament. This very question had been referred by the late government to the privy council (of whom a committee was appointed), who had received petitions both from the claimants and from those who were adverse to the grant, or at least desirous that any grant should be accompanied by certain restrictions,—had taken evidence,—had heard the speeches of counsel,—and had done nothing. Certainly this delay or obstruction was not to be attributed to any indifference to the subject of education on the part of this committee of the privy council, but to the existence of some good and valid reasons for withholding the grant of a charter. The question having thus been already before the House and having been by the Crown referred to the privy council, ought the Crown to be now called on to disparage the authority of the privy council, and to grant a charter, without reference to the opinions of that body so referred to? On the other hand, the amendment would lay before the House all the information submitted to the privy council in the matter of the London University. Possessed of this, the House would

then be able to decide what course it ought to pursue. He would not, for the purpose of evading any temporary difficulty, give to the House any assurance as to the future. If the House was prepared to decide the question to-night, it might pursue its own course; he, however, should still think the course proposed most unseasonable, while, on the other hand, the mere calling for the production of the memorials and other information would be more satisfactory, and would not in the least prejudice any future proceeding. On this occasion he would rather be in a minority, and throw the responsibility of an unjust and unwise proceeding upon the majority against him, than acquiesce in it for the purpose of escaping from occasional or temporary defeat. He believed the presentation of the address would not accomplish its object. He however pledged himself to nothing, though thus much he would say, that he saw no objection to the principle that some provision should be made for the admission of dissenters to academic honours. What might be the proper mode of relief he was not prepared to say, and he would not interrupt the House in its course by any pledge in this respect.

Lord John Russell thought that the question must now be pressed, for the position of the House in regard to it was not that in which it stood last year. The Universities of Oxford and Cambridge having opposed the admission of dissenters into their colleges, and having succeeded in their opposition in the other House of Parliament, and having the power, by their rules and regulations, to exclude Dissenters,

they thus stood forward and said ; that not only should these persons be excluded from the ancient universities, but that an institution, which had been established at the expense of 150,000*l.*, and which was fully capable of teaching learning and the arts, should not have the power of conferring honours and degrees. This was deemed a grievance by the dissenters. His lordship further said that, although the privy council had come to no decision on the subject, it was wrong to say that they had done nothing, for they had deliberated much. Every fortnight lord Brougham had made some communication regarding the University of London, and how it might be reconciled with other institutions ; had been very much employed upon it during his journey to the North ; and, even when he went to the continent, took with him voluminous papers on the question. The late government, and especially lord Brougham, had thus been anxiously employed in considering, first, whether it was possible to obtain the consent of Oxford and Cambridge to protestant dissenters taking degrees in these universities ; secondly, if that failed, whether a charter should be given to the London University enabling it to confer degrees ; and thirdly, whether any other large and combined plan could be devised, which should extend to the London University and other schools. The privy council thought the greatest objection to be not so much on the part of the two universities as of the medical schools of London. It was thought that if the London University were enabled to confer medical degrees, the other medical

schools of London would be equally entitled to claim the same privilege. On the whole, the matter had appeared to be of so much importance, that the council did not come to any decision. He admitted that there were some objections to the charter of 1831, and he could have wished that some parts of it had been excepted in the motion ; but, nevertheless, he would support it, as government held out no hope of any other proposition being brought forward.

The motion was carried by a majority of 246 to 136. On the 1st of April the king returned an answer to the address to the following effect :—That his majesty, desirous that such a subject should receive the fullest consideration, had referred it to his privy council ; that the reply of his privy council had not as yet been communicated to him, but that his majesty begged to assure his most faithful Commons that he should call upon his privy council without delay for a report of the proceedings they had adopted on the subject, in order to enable his majesty to judge what would be the best mode of carrying into effect the wishes of his faithful Commons respecting a charter to the London University, and what might be the conditions on which it should be granted.

These, however, were not discussions which either party regarded as directly affecting the stability of the new government. The opposition had been compelled to try ministers by their measures. Ministers, by the conduct they had pursued and the measures which they had already brought forward, were daily gaining ground in the confidence of the

country. Frequent hints were given to sir Robert Peel that he ought to retire, but no motion was ventured, which, if carried, must necessarily have led to that result. He was taunted with being dependent on the support of lord Stanley and his friends; those, who indulged in such reflections altogether forgetting that they were at least equally dependent on a support of a far less creditable kind, that of the repeal and popish faction of Ireland. In a conversation which took place regarding lord Londonderry's resignation of the embassy to St. Petersburg, (March 16th) lord John Russell having remarked that all the prerogatives of the Crown seemed in a fair way of being successively compromised in the course of what he called this attempt on the part of the present administration to govern with a majority of the House of Commons against them, sir Robert Peel answered: "with respect to the observations of the noble lord on the inconvenience to the public service from a government not being possessed of the confidence of the House of Commons, whenever he or any other member thinks he shall be able to form a government which will possess more of public confidence, his course will be to give notice of that direct motion which the member for Middlesex has intimated will be given; and then an opportunity will be afforded of seeing, whether the House of Commons will affirm a proposition having for its direct object the removal of the ministers of the Crown. There can be no doubt, that a man, placed in the situation hold, has a perfect right to consider what would be the consequences of the resignation, on

light grounds, of the trust which is reposed in him. It is not the slight disappointments or mortifications I may feel, that will entitle me to retire from his majesty's service. If the noble lord wishes to displace the government, it must not be by motions which those who vote for them express a hope will not have that effect; but by a motion which will distinctly imply that an administration, possessed of more public confidence, and of greater ability to discharge the public duties, can be formed. I will only say, that no man is more anxious than myself, that that question should be brought to a fair issue." The member for Middlesex, he continued, had already threatened the government with a motion for limiting the supplies, and he would have been prepared to resign, if the House of Commons should have voted in favour of that motion; for that, undoubtedly, would have been such a demonstration of want of confidence, as would have rendered it impossible for any government afterwards to remain in office. Now, he told the member for Middlesex, that if he was anxious to bring forward any motion against the government, and could not find a day for the purpose, he would facilitate his views. But if he would not name a day for any such motion, it was hardly fair in him to deal in menaces which he was not prepared to enforce. He begged to ask lord John Russell, whether, if ministers had thrown up the government, he would not have turned round on them, and said, "you are guilty of a cowardly abandonment of office; you never meant to remove grievances; we never brought forward a direct

vote of censure—we were prepared to hear your propositions, but you yourself have shrunk from the trial?” Mr. Hume admitted that ministers had some reason to complain, that the question had not yet been brought to an issue. He trusted that this ground of complaint would soon be removed; but, at the same time, the opposition would take their own time and day for the attack. Lord John Russell said that, if a direct vote of want of confidence had

been brought forward, the ministry might have gained a number of votes, on the plea of being unfairly treated. They would have said to the opposition, “you now preclude us from being heard; you want to condemn us without trial; and to reject our reforms before you are able to judge of them.” He would not expose himself to the chance of receiving such an answer; he was willing to wait for the measures of reform which had been promised.

CHAP. VII.

The Opposition determine to bring forward the question of the Appropriation of the Surplus Revenues of the Irish Church—Position of the late Ministers in regard to this Question—Notices of Lord John Russell regarding Reports from the Irish Church Commission—He resolves to proceed without them—Ministerial Tithe Bill for Ireland—Debate on the Resolutions proposed as the foundation of the Bill—The first Resolution carried by Ministers—Resolution moved by Lord John Russell to go into Committee in order to apply the Surplus Revenues of the Irish Church to the Education of all Classes—Speeches of Lord John Russell—Sir Edward Knatchbull—Mr. Ward—Sir James Graham—Lord Howick—The Solicitor-General—Sir J. C. Hobhouse—Mr. Praed—Mr. Littleton—Sir Henry Hardinge.

OF the measures, for which the leader of the opposition had thus declared that he would wait, in order to judge by them of the merits of the ministry, two—the marriages of dissenters and the commutation of tithe—had now been brought forward, and neither of them had increased the probability that ministers would fall short of public expectation. There still remained municipal reform and the Irish church: and on the latter of these the opposition resolved to found their great attack upon the government, by using their numerical majority to force upon it principles which they knew it never would submit to carry into effect. The point, which they were well aware sir Robert Peel was determined not to concede, was, the application of the surplus revenue of the Irish church, if such a revenue should be found to exist, to purposes other than those of the pro-

testant religion. Unfortunately for them, however, this was a point on which the late ministry had not conceded more than the present government. The declared object of O'Connell and his followers, was to divert the surplus revenue from purposes purely protestant to the benefit of catholics as well as protestants, and thus to make a beginning of despoiling the protestant church for behoof of the popish hierarchy. The late ministry, who now formed the opposition, had set themselves against the declaration of such a principle. In a former session, they had incurred the reproaches of many of their adherents by striking out of the Irish church temporalities bill a clause which was supposed to involve the principle, and they had justified the change by insisting on the inconvenience and absurdity of declaring what should be done with a surplus, when it did not appear

whether there would be any surplus to dispose of. In the preceding session Mr. Ward had moved a formal resolution declaring the necessity of this appropriation to purposes other than those of the protestant establishment. The ministry had resisted that motion, and resisted it successfully, and had issued a commission to collect that information which they contended to be necessary, before the question should even be entertained.

There seemed, therefore, little reason to expect that the very men who had done all this would now discover, without waiting for that information, and without ascertaining whether any surplus would exist, that parliament must declare hypothetically and abstractly the right of catholics to share in the surplus revenues of the protestant church, even though the declaration should never lead to any practical result. Yet it was to this line of conduct that the opposition had recourse, as constituting almost their last hope of storming the cabinet. It was not the enforcing of any measure of practical policy; it was the mere declaration of a principle which, they would be compelled to admit, might never come to be acted on; and any other proposition, which their majority would support, and rather than support which, sir Robert Peel would resign, would have served their purpose equally well. Many of them, probably, would have preferred some less questionable and more practical ground for accomplishing their object; but unfortunately that object could be accomplished only by keeping together their majority; that majority depended on O'Connell and his train of popish followers; and this attack on the protestant church

was an indispensable condition of any line of policy which O'Connell would support. They may have flattered themselves that they might still ultimately be saved from applying the principle, by the great probability that the funds of the church were not greater than reasonable protestant purposes required. Their Irish allies, and the British radicals who desired there should be no church, were much more sagacious. They knew well that, from declaring how a possible surplus should be applied, it would be an easy step to make a surplus, and that the same power which had compelled the one would, when it chose, produce the other. Considering that the adoption of this course necessarily brought them into collision with the House of Peers, that the late election had taught them how little popular enthusiasm was attached to their cause, and that measures, which even wore the air of favouring popery at the expense of protestantism, were among the last that could be expected to rouse in the people of England a feeling which would overpower the deliberate convictions of one branch of the legislature, it seems impossible to believe that the late ministers would voluntarily have pledged themselves to such a proceeding, if the cause of their ambition could have been equally served by any other expedient. But the agonies of that ambition had called on the evil spirit for aid, and the demon imposed his own terms. O'Connell insisted on the proposition, because it was the first step towards elevating the popish church to an equality, in the first place, with its protestant rival. The leaders of the opposition embraced it, because it would restore them to power, if it

were forced upon the ministry, and O'Connell promised his majority to force it upon the ministry. Their mere party followers recognised the treaty, because it held out the readiest means of restoring to office those to whom their expectant eyes were turned; and it received the willing assent of all those who conscientiously held that the Irish church was a nuisance, either simply because it was an established church, or because it was not the church of the majority of Irishmen, and who naturally thought that the best ministers were those who would go farthest in the prosecution of their own views.

Lord John Russell appeared willing at first to avoid at least part of the difficulty by not introducing the proposition, till the House had received some report from that commission, which had been named by himself and his colleagues expressly on the ground that its labours were a necessary preliminary to any useful discussion. On the 2nd of March he gave notice that he would bring forward the question of the Irish church some time before the end of the month, as he had reason to believe that by that time the commissioners would have furnished a report. He subsequently fixed his motion for the 23rd, still, as he stated, in the belief that the first report would have been made by that day. On the 13th he informed the House that his intention of waiting for the report of the commissioners did not rest on any belief that the document would be necessary to the case which he should be able to state, but merely on an impression that the House itself would wish to be in possession of all the information

that could be obtained; and he now left it doubtful whether he would proceed with his motion on the 23rd. On the 18th he stated that he had been informed by one of the commissioners, that, in the course of next week, a special report would be made by certain local commissioners, who had examined the parishes in eight dioceses in Ireland. Members might thus be in possession of it in the course of the following week. He wished therefore to put it to the House, whether it would not be advisable to postpone the motion of which he had given notice respecting the church of Ireland; because, when he originally gave notice of the motion, he supposed that the report of the commissioners would be laid upon the table of the House before the day fixed for that motion. He would now move for the production, without delay, of any reports which might be received from the commissioners. Sir Robert Peel objected to this motion being made without notice. It was one which could not be allowed as a matter of course; for the question was, whether the commissioners should make incomplete reports, and whether the House would proceed to affirm a general resolution on a partial report. He stated that as yet government had received no report, and remarked on the circumstance, that it appeared, from Lord John Russell's statement, that the opposition possessed means of ascertaining from the commissioners the course they were going to take, which the government had not. On the following day, Lord John Russell finally fixed his motion, with notice of a call of the House, for the 30th March; and on the 20th he formally abandoned

his intention of calling or waiting for any reports, because he understood that none would be ready. On the 25th, Sir Robert Peel having expressed a wish that his lordship would state the general outline of the resolution which he intended to propose on the 30th, the opposition answered with cries of "no;" and his lordship said, that in a couple of days he would be able to tell, whether he would give an answer or not. On the 27th, however, his lordship stated, that, though he was not prepared to bind himself down to any particular words, or to pledge himself not to vary the terms of his motion, it was his present intention to move that the House resolve itself into committee, "for the purpose of considering the expediency of applying any surplus revenue of the church of Ireland, which may not be required for the spiritual wants of the members of that church, to the religious and moral instruction of all classes of the community." Upon this, Sir Robert Peel desired to know, whether, supposing that the House should accede to that proposition, and resolve itself into committee for the purpose stated, Lord John Russell would then be prepared to produce any practical plan for carrying into effect the proposed appropriation of church revenue? His lordship said, that was a question which he did not feel bound to answer. If the House agreed to his resolution, he should then know what to do. To a question put by another member,—whether, as the proposed resolution alluded to "the religious instruction of all orders of the community," it was meant that the Roman Catholics should be instructed in the principles of the Roman

Catholic religion?—no answer was given.

In the mean time, the ministry, had brought forward their own bill in regard to the Irish church, wisely determining to reduce their opponents to the naked hypothetical proposition which these opponents themselves had hitherto resisted. Since the accession of the reform ministry, various measures, had been proposed in regard to tithes. In all that had formed the great features of these measures, even in the opinion of those who proposed them—in the propriety of removing the payment from the tenant to the proprietor—of securing the collection, and in return diminishing the amount—and of converting the tithe, if possible, into land or a charge upon land, sir R. Peel, and the leading members of the present ministry had acquiesced. These were objects attainable in themselves and of practical importance; and all of these objects the government was still prepared to advance, though determined to stake its existence on resisting either the actual application of any part of the tithe to purposes not Protestant, or a hypothetical resolution in favour of such an application which could have no practical result. On the 20th of March, sir Henry Hardinge, the secretary for Ireland, opened the government plan in a committee of the whole House. Having adverted to the disturbances which tithe had occasioned in Ireland, producing almost a suspension of payment during the last four years—to the evils arising from the paltry sums in which and the number of individuals by whom it was payable in consequence of the great subdivision of land—to the benefit derived from lord Stan-

ley's act of 1832, which had reduced the tithe payers in 903 benefices from 346,000 to 214,000,—and to the intention which had been expressed by the proposers both of that act and of the plans of last year, to substitute a rent-charge for tithe,—he proceeded to state his decided conviction, that this imposition of a rent-charge was not only good in principle, but peculiarly proper as regarded the situation of the protestant landlord in Ireland. It appeared from official returns applicable to 903 benefices, that protestants owned 10,500,000 acres, and Catholics only 645,000; so that the number of acres belonging to protestants was to that belonging to Catholics, in round numbers, as 15 to 1; while the amount of composition paid by them respectively was as 19*l.* to 1*l.* He mentioned this to show that a rent-charge, which some thought a harsh measure, would fall principally where it ought to fall, viz,—on the protestant landholders. The bill of last year imposed a rent-charge of 80*l.* for every 100*l.* of composition; in the bill which he proposed to introduce, the rent-charge for every 100*l.* of composition would be only 75*l.* The landlord would likewise be placed in a better situation as to the power of redemption. Under the bill of last year, the highest price for the redemption of 100*l.* of composition was 1850*l.* and the lowest 1750*l.* Under the present bill it would be redeemed for 1500*l.* so that the landlord would gain, upon an average, 250*l.* on the redemption of every 100*l.*, or an advantage of about $2\frac{1}{2}$ years purchase, in addition to the difference of 25 per cent. between the composition and the rent-charge. It was proposed that the

landlord should give the advantage of this latter difference to the intermediate tenants down to the occupier of the land.

As to the clergyman, again, the bill of last year gave the clergyman 77*l.* 10*s.* for every 100*l.*; the present bill would give him only 75*l.* It was intended, however, that, if during the process of investment, any loss of interest should be sustained, the present incumbents should be guaranteed to the extent of the 75*l.*; an indulgence that would not be extended to their successors, who would have to take the redemption money at its worth in the securities in which it might be invested. The indemnification would be charged on the perpetuity purchase fund, leaving the ecclesiastical fund untouched. The incumbent would receive the rent-charge from the head-landlord at stated periods. In case of failure application would be made to the ecclesiastical commissioners, who would immediately have recourse to a crown process; so that in no circumstances would the incumbent ever be engaged in litigation with his parishioners. Lay-impropriators would be treated as they had been treated in the bill of last session, receiving their redemption money and applying it as they might think proper. The government felt that no measure could give satisfaction, unless it abolished tithe composition, and put an end, at no distant period, to tithes altogether. It was proposed, therefore, that the rent-charge should be imposed immediately for the present year, and continue for three years, at the expiration of which it should be saleable in the market by the ecclesiastical commissioners, unless redeemed before that period. The consequence would be, that

from the present year, tithe and tithe composition would in truth be abolished.

The question of arrears still remained. Those could not be heavy for 1831, 1832, and 1833, because considerable advances had been made to the tithe owners in respect of these years, under the act passed in 1833. As the rent-charge would commence in the present year, there could be no arrears for the future; and thus the only arrears to be provided for would be those of 1834. How were the clergy to obtain those arrears? He was confident the House would not recommend to the government to enforce their collection by military aid. Neither would it be just to abandon the clergy, who were in great distress, and whose only fault, if it was a fault, had consisted in not enforcing what was justly their due. It was proposed, therefore, to apply to this purpose the residue of the 1,000,000*l.* which had been voted in 1833, and which amounted to about 360,000*l.* Undoubtedly there were strong objections in point of principle to thus paying the debts of persons who illegally had refused payment; but as the precedent had been made by the former grant, and an impression produced on the minds of the peasantry that they would no longer be called on to pay tithes, the House would probably be of opinion that it would be advisable to act on the precedent. The same reasons recommended the remission of the instalments due by the clergy. They had received about 637,000*l.*, and, by the law, it was imperative upon them to repay it; but it was impossible they could do so, when they had not been receiving their tithes. In many cases, compulsory repayment, even if possible, would

produce injustice; for clergymen appointed to livings in the course of last year would have to pay the debts of their predecessors. If, again, it were repaid out of the ecclesiastical fund, that fund would be involved in debt, without the prospect of escaping from it for many years. In the year when the vestry cess was abolished, there was a deficiency of 30,000*l.*; in the present year there was a deficiency of 40,000*l.*; and if the calls on that fund went on increasing in the same proportion, it would take thirty-three years to liquidate the debt. He concluded with moving a resolution to the effect: That it was expedient to abolish tithe in Ireland, and to authorise a composition in lieu of it, charged upon the land and payable to the tithe-owner; that such rent charge might be redeemed, and the redemption money invested in land or otherwise; for the benefit of the persons entitled to such composition; and that the arrears of tithe due in the year 1834 should be made up from what remained of the 1,000,000*l.*, advanced by parliament to the clergy of Ireland in 1833.

Lord John Russell professed that he did not mean to offer any opposition to the resolution or the introduction of the bill to be founded upon it; and he directed his remarks principally to showing the similarity, in point of principle, between the present measure and the bill of last year which had been rejected by the house of Lords, and had been anathematized in the Commons as an unjust secularization of Church property. Mr. Shaw answered, that there was a wide difference between the two measures. The bill of last year gave the landlords no less than the enormous sum of 40 per cent., while the present

measure would give them but 25 per cent. Again, by the bill of last year, one-fifth of the sum to be paid to the landlord was to be made up from the consolidated fund. Now this one-fifth, though asked for by the clergyman, was really given to the land-holder; and in these two points lay the great question of the secularization of church property. The present measure settled the income of the clergyman at 75*l.* for every 100*l.* of composition. That was to continue the property of the church, subject to no other change than what might arise from the difference between the value of the rent charge as now fixed, and its value when it came to be redeemed and converted into other securities; but this was what all property was subject to, and was equally incident to any transfer of property, made by selling lands in one county and buying lands in another. By providing that there should be a deduction of twenty-five per cent, they had fixed the payment on the land, and the property of the church remained secure. This was no secularization of the property of the church.

Lord Howick did not object to the resolution in so far as it went to confirm the conversion of tithe into a rent-charge, but he objected to the principle of redemption which it contained, and still more to what was proposed by the second resolution, viz. the giving up the 1,000,000*l.* which had been advanced to the Irish clergy, a proposition to which he never would assent. This resolution, therefore, he thought, ought to be delayed to a future occasion.

Sir Robert Peel had no objection to consent to this arrangement, if the House thought it

necessary, because he had no wish to ask them without due notice, either to decide that the money should be remitted, or to come to any vote which might be tantamount to this. It would render the bill less complete, but it might be made the subject of a separate bill. It was a result, however, to which he believed the House must come. About three years ago, 60,000*l.*, had been advanced to the Irish clergy, and it was provided that, in respect of the tithes due to those clergymen who should avail themselves of an advance out of that sum, government should have a claim for the recovery of the tithes. This claim having been given up by the clergy, an attempt was made on the part of government to levy to the extent of that 60,000*l.* Repeated efforts were made, both by legal process and by the application of military force, to recover payment. The expenses of recovery were almost in all instances greater than the sum that could be obtained from time to time. The consequence was, that the chancellor of the exchequer issued a notice that no further attempts should be made to recover those tithes which were due to government. Whether that proceeding was a wise or an unwise measure, it was not necessary for him to give an opinion; but what must the House suppose the effect of it to have been, when the government, having the right to the tithes, and having the whole force of government power at its command to enforce the payment, intimated that no further effort should be made at recovery? A sum of a million of money was then appropriated for the purpose of providing for some arrears of tithes to such clergy as were able to prefer their claims

for a portion of it. Many of them availed themselves of this advantage, and they received sums from government, absorbing about 630,000*l.* out of the 1,000,000*l.* That was paid to the ecclesiastical and lay owners of tithes. A provision was made that those, who so received advances from that fund, should be liable to repay the government by quinquennial instalments. The time of payment had now arrived, and in this state of affairs what was government to do? A sum was due from the clergy to the government, and by the same law an equivalent sum was due from the occupying tenant to the clergy. Time pressed for a decision, and the House was bound to take some particular course. What was to be done, if payment was required by the clergy and could not be obtained? Was the House prepared to give the clergy the power of the government—a military force to compel payment? (Cries of “No, no.”) Well, was it prepared to give a civil power without military force? (Cries of “No, no.”) Well, if the House would neither give a military nor a civil force, then it would have to be guilty of this gross injustice—that having given 60,000*l.* in the first instance to the clergy, and government having abandoned all attempts to recover that sum, now that there was 630,000*l.* due, the House would not give the power—either civil or military—to the clergy to recover that amount; but would demand of them, who were in poverty and reduced with their families almost to a state of starvation, the repayment of a large sum, without giving them any assistance for enforcing their legal claims. Was such injustice to individuals

to be permitted? Was the executive government to stand by and see laws between subjects, between whom no difference could be recognized, trampled upon, and say that they would not uphold those laws? Could any man advise such a course? The House might postpone this resolution for a couple of days, but the question to which it must ultimately come, would be this—would it release the clergy from the demand it had upon them individually, or would it call for payment, and enable them to recover an equivalent sum from the occupying tenants? Could the House with any justice impose those arrears of tithes upon the landlords? Could it tell the landlords that a rent-charge should be imposed upon them, which should not only be an equivalent for future payment of tithes, but which should also include an arrear of tithes for the past? He doubted very much whether the House of Commons, with all its power, could pass such a law as that, applicable to land proprietors. Even if it could, independently of other objections to it, there would be such difficulty in the way of the principle, that he doubted very much whether they ever would be able to enforce it. In short, the question was, whether the House would remit that sum altogether as a peace-offering to Ireland—as a boon, not to the clergy, but to the parties who certainly ought to pay it? Whether they would remit the payment of the instalments due from the clergy, or take one of two courses—impose the obligation of paying on the landlord, or impose the obligation of paying on the occupying tenant?

The chancellor of the exche-

quer having thus consented to postpone the question as to the repayment of the advances, Mr. C. Wood and Mr. Littleton thought that no farther opposition should be made to the first resolution being carried *pro forma*, in order that the bill might be brought in. Mr. Hume, however, was of a different opinion. He insisted that the two resolutions were inseparably connected with each other; that the subject ought not to be even touched, till the question of appropriation should have been discussed on the 30th; and that, therefore, the farther consideration of the resolutions should be delayed. If it were really the fact that the proceeding amounted to nothing more than a mere *pro forma* proceeding, why might they not as well agree to all the resolutions *pro forma*, without the House being concluded as respected any of them? Ministers came down with two resolutions; they found members not quite so accommodating as they expected, and though, at first, according to their representation, the two resolutions were perfectly inseparable, this connection turned out to be mere supposition. Hence, as soon as the chancellor of the exchequer found the House at all indisposed to entertain the motion in its fullest extent, he turned round and professed himself perfectly willing to put off to another opportunity the latter portion of his resolutions, hoping, perhaps, that with a fuller House—one containing a greater number of his supporters—he might be able to carry his motion in all its fullness. What was the object of the present bill?—It was said “to give peace to Ireland.” Did any man in his senses expect that peace could be

given to Ireland so long as the question of appropriation remained unsettled? He believed there was not an impartial and intelligent man in the community, who thought otherwise than that appropriation constituted almost the whole question—then why have two separate proceedings? He called upon the government to be consistent,—to let the whole question stand over, and upon proper notice, bring in a bill embracing the whole, but not in that way to introduce a bill, now for one half and now for another. He therefore moved, as form did not allow him to propose an adjournment, that the chairman do now report progress.

In these views he was supported by Mr. Sheil, Mr. Harvey, and other members, who argued, that, by adopting the resolution, the House would have pledged itself to the continuance of tithe as a rent-charge upon the land, and as a rent-charge payable exclusively to the existing tithe-owners and their successors, which would lead into great embarrassment, when they came to consider whether part of it, at least, ought not to be applied to other purposes. In vain Mr. Goulburn and sir Robert Peel repeated that the moving of the resolution was required, in point of form, and as a preliminary to the introduction of such a bill—that they were only repeating what had been done by the late government in 1834, without any objection from those who now resisted it—and that no man, by merely assenting to the resolution, would be precluded from altering or amending the bill which might be brought in, or from opposing it altogether. Mr. Ward, who, in 1834, had moved the appropriation resolution, expressed himself satis-

fied; but Mr. Spring Rice and Mr. P. Thomson, who had been members of the ministry which opposed that resolution, insisted it was now too valuable for the House to run the risk of even appearing to trench upon it by agreeing to the proposed vote. Mr. Spring Rice averred that he and his friends had no wish to throw any difficulties in the way of the government, an announcement which was received with loud merriment. He agreed, he said, with ministers on the abstract point, and a proposition merely to bring in a bill would not be opposed; but he and his friends did not wish to be fettered by the resolution. He admitted there was nothing more usual than having a resolution of this nature passed *pro forma*, but certainly it was not advisable, at a moment when a question, which most of all occupied the public mind, was to be considered. If, for instance, a question of peace or war was to be deliberated upon, it decidedly would not be advisable to preface by a declaration, touching the general policy of the country, a motion that 15,000,000*l.* of exchequer bills should be issued for the public service. He objected to their making any declaration now, when hereafter they would have to discuss the whole measure. It was true, however, that, even if the resolution were carried, it was one which did not in any way commit those on his side of the House. He said this; because it would be, probably, in the power of himself, or some other member, to move, when the House resumed, an amendment dissenting from the spirit of that resolution. As to the success of the bill which might be proposed, there was no chance of its being carried through the House,

until the question of the appropriation of tithes had been first settled. There was no chance of its being satisfactory to the country—to the people on this side of the Channel, and no chance of its being accepted by the people on the other. He objected to the resolutions as leading to a bill which would go to the extent of practically affirming that the revenues of the church should be applied only to church uses strictly, and declaring that the consideration of no other object should hereafter enter into the discussion. Mr. Poulett Thomson, likewise, thought that the resolution involved a principle. Government ought to withdraw the motion, and merely move for leave to bring in a bill for the purpose of settling tithes in Ireland. This expedient would relieve the opposition from the difficulties under which they now laboured; and if it was not adopted, he hoped the House would not allow itself to be entrapped into a declaration, to which the majority of its members might be opposed.

Lord Stanley said, he would certainly vote with the government. Why did members object to the words of the motion as tending to pre-judge a question involved in it? The chancellor of the exchequer had told them, that this would not tie them down to any thing beyond the introduction of the bill. Suppose members should vote against the words objected to in the resolution, would that decide the question of appropriation? No; because the subject would afterwards be brought forward in another shape. On the one hand ministers affirmed the words; but suppose they were to carry it by a majority, what then? Would the minister carry the principle which

some members thought involved in those words? No; for those who might vote for him would at once say, "We voted only to enable you to introduce your measures, but we do not feel ourselves bound to support any of the provisions of the bill which you may introduce." This was the common sense way of putting the question. If a division—he was sorry the words objected to had been introduced, because they would lead to a doubt as to a question of principle which ought not, and was not, intended to be raised at all—but if a division should be called on this question, and if the ministers of the Crown should continue to say that they considered the adoption of the words of the latter part of the resolution necessary for the development of their measures in the bill, he would vote with them; but in that vote he would rest on their declaration that they considered those words necessary for the introduction of the bill; and he would also rest on his own declared intention before the commencement of the session, not to throw any obstacle in the way of government in laying their measures before the House. On these grounds he would vote, for he was sure that the government did not mean to take any unfair advantage of the vote. To attempt to take any such advantage of it would be bad taste, bad judgment, and bad feeling, of which he could not suspect any member of the government to be guilty. Therefore, while on the one hand he contended that no man who voted for those resolutions was thereby bound to support more than the introduction of the bill, he would, on the other, say, that if the chancellor of the exchequer considered

them necessary, he would vote for and against the motion for reporting progress, which would prevent any decision whatever upon the question.

Sir Robert Peel said, he had always understood that, in matters relating to religion, it was necessary that any measure should be first introduced in a committee of the whole House, and not in the shape of a bill. In the journals, amongst the rules by which the House was bound, he found this,—“That no bill relating to religion, or to the altering of any matter relating to religion, shall be introduced into the House, until it shall, in the first instance, have been introduced in the shape of a resolution to a committee of the whole House.” To this rule the government had strictly adhered. If they had deviated from it—if they had avoided the details of their plan, and adopted the shorter course of a bill, well did he know that they would have been told of their deviation from the usual practice of the House, and told by none more loudly than by Mr. S. Rice. They would have been asked, “Why don’t you go in the first instance to a committee of the whole House? Why don’t you adhere to the usual form of giving the details of your intended measure in a committee of the whole House, and of embodying your principle in a resolution on which you may afterwards found your bill?” And if ministers had said they did not wish to introduce a resolution, the adoption of which might seem to pledge the House to some subsequent measure, Mr. S. Rice would at once hold up this volume (one of the journals) and say, “See how different the case was under the administration of

lord Grey. The government then did not content themselves with introducing a bill for an important measure, in the first instance, they went to a committee of the whole House, and having detailed the nature of the measure which was ultimately intended to be brought before the House, they moved a resolution on which to found that bill, and that resolution was to this effect:—"Resolved, that it is the opinion of this House that composition for tithes in Ireland be abolished on or after the first day of November in the present year, in consideration of an annual land-tax to be granted to his Majesty, payable by the persons who would have been liable to such composition for tithes, and of equal amount. That such land-tax shall be redeemable, and that out of the produce provision be made in land or money for the indemnification of the persons entitled to such composition." He would have gone on and told us how such a proposition was received in the House—that it was carried by an overwhelming majority—and that Mr. Spring Rice was one of the tellers for the "ayes" in that majority. Yet these very gentlemen now said that, holding the opinions which they held in regard to the appropriation of church property, they could not accede to the resolution at present, because they could not consent to tie up their hands. But surely these opinions could not have been taken up only since the close of last session. They must have been of longer standing, when they anticipated that the time must come, when appropriation would have to be considered in some shape. How then came they to assent to the resolution of last session? If they could then ac-

cede, with a safe conscience, to such a proposition for dealing with church property as he had just read, how did it happen that conscientious scruples prevented them from giving a vote much more limited in its extent on the present occasion? Why, on the former occasion, too, the question of appropriation, which now made them abhor the idea of acceding to such a resolution, had been distinctly raised, but had been unable to prevent them from agreeing to the resolution—for a counter resolution had been moved to the effect that, after affording protection to existing interests, a competent provision should be made for the support of the protestant clergy, proportionate to the amount of the protestant population of Ireland, and that the surplus revenue should be applied to such purposes as parliament should direct. Neither did his sense of duty allow him to adopt the suggestion of lord Stanley, that the part of the resolution which spoke of the investment of the produce of the rent-charge should be omitted. The words were meant only to detail the views and intentions of government. He could have withdrawn that part of the resolution only on the ground that it implied a pledge on the point of investment; and, in that case, would it not have been a fair inference that those parts of the resolution which remained were intended to be binding? The resolutions in no manner bound the House to the measure to be introduced. One piece of history, not more ancient than the last session of parliament, ought to be decisive on this point, especially with the present opposition. Last session a tithe-bill was introduced by Mr. Littleton, a bill

subsequently altered by himself—a bill different from that which had been submitted to the House by lord Stanley, a bill which was again altered by Mr. O'Connell, altered from the principle of the original resolutions; yet so little did the House feel itself bound by having acquiesced in these resolutions, that the very same House, which had agreed to them in their original form, completely altered their tenor and effect. Nay, what had happened that very night? So soon as Sir Henry Hardinge had sat down, lord John Russell, the leader of the party opposed to the ministry, expressed his entire concurrence in the views which had been taken by the secretary for Ireland, and instead of feeling himself bound by the resolutions, did not hesitate to say, that he would not for a moment present the smallest obstacle to the introduction of the bill which was intended as the result of the present resolutions. The late secretary for Ireland, too, so entirely concurred in their terms, as to declare that he should vote for the resolutions, under the protest that he was not to be bound by them. In this protestation he believed that many other members would concur, and would feel that they were not bound by the resolutions, but would give their assent to them, combining, as they did, all the good sense, the precedents, and the practice of former governments. With these authorities, he felt he should take a course inconsistent with the practice and precedents to which he had alluded, inconsistent with his duty as a member of the House and as a minister of the Crown, if he consented to any modification of the proposed resolutions.

Mr. Hume's amendment had been, that the chairman should report progress, which amounted to a refusal to entertain at present any part of the subject, and would have interfered with the introduction of the bill and the discussion of its claims. To avoid being placed in this position, Mr. Spring Rice proposed to substitute for Mr. Hume's amendment a simple resolution to the effect that "it is expedient to amend and alter the laws relating to tithes in Ireland." Mr. Hume consented to this proposal; and the committee divided on Mr. Rice's amendment, when ministers had a majority of fifteen, the votes for the original motion being 213, and for the amendment 198. This majority was the result of the difference of opinion among the opposition members themselves; but it had the effect of preventing any division on the motion for bringing up the report, which was received on the twenty-third.

Thus every thing that could be done practically to remove the evils attending the collection of tithe had been brought forward by the ministry. The opposition propounded no measure which would go farther in the way of securing or arranging the payment of tithe to the protestant church; they even complained that the new government was merely imitating the conduct of its predecessors. The only position, therefore, which the antagonists of the ministry could now assume, was, to maintain that it was not enough merely to place on a better and surer foundation the collection of tithe for the protestant church, but that, to some extent at least, though to what extent nobody attempted to define, it must cease to exist as tithe payable to the protestant

church, and be applied to purposes in which catholics might have an equal interest; in short, not that tithe was a grievance in itself, but was a grievance because it was possessed by the protestant church to a greater amount than the spiritual purposes of that church rendered necessary. These accordingly were the propositions which lord John Russell had to maintain, when he moved, on the 30th of March, the following resolution:—"That this House resolve itself into a committee of the whole House, in order to consider the present state of the church establishment in Ireland, with the view of applying any surplus of the revenues not required for the spiritual care of its members to the general education of all classes of the people, without distinction of religious persuasion."

In the speech, with which his lordship introduced this resolution, he set out with admitting that he held the argument in favour of a church establishment to be complete and unanswerable, that an established church tended to preserve good order, and was agreeable to the majority of people in this kingdom. But it could deserve this character only when it fulfilled its proper objects; and his lordship quoted from Paley the following passage as shewing what these objects ought to be; "the
 "authority of a church establish-
 "ment is founded upon its utility,
 "and whenever, upon this princi-
 "ple, we deliberate concerning
 "the form, propriety, or compara-
 "tive excellency of different estab-
 "lishments, the single view under
 "which we ought to consider them
 "is that of a scheme of instruc-
 "tion; the single end we ought
 "to propose by them is the preser-

vation and communication of
 "religious knowledge. Every
 "other idea, and every other end
 "which have been mixed up with
 "this, as the making the church
 "an engine or even an ally of the
 "state, converting it into the
 "means of strengthening or diffus-
 "ing influence, or regarding it as
 "a support of regal in opposition
 "to popular forms of government,
 "have served only to debase the in-
 "stitution, and to introduce into it
 "numerous corruptions and abuses."

This being what an established church ought to be, the question, his lordship said, was whether these great objects had been advanced by the way in which church revenues had been appropriated in Ireland, and whether it had furthered the religious instruction which that church ought to be the means of bestowing? In the earlier part of the last century, the revenues of the Irish church did not exceed 110,000*l.* per annum. They now amounted to no less than 791,721*l.*, in round numbers, 800,000*l.* While this enormous increase had taken place, had there been a corresponding increase in the number of conversions to the protestant faith, or had the activity, zeal, and success of the clergy been such as to warrant the continuance of this revenue? In too many instances the conduct of the clergy had been the reverse of what it ought to have been. Not very long ago, it had been considered an advantage to a clergyman to have few protestants in his parish, because he thus had a fair excuse for neglecting his duty. Even up to a late period, many of the established clergy considered themselves rather as members of a great political body than as set apart for the purpose of communicating religious in-

struction. What had been the consequence? In the county of Kilkenny, in 1731, there were 1,055 protestants; in 1834, there were only 945. In Armagh, at the same period, the protestants had been to the catholics as three to one—now they were only as one to three. In the county of Kerry, the proportion of catholics to protestants was much greater. He believed that the whole protestant population of Ireland did not exceed 750,000; and of these 400,000 were within the ecclesiastical province of Armagh. In nine dioceses, the proportions were the following:—

Diocese.	Members of Established Church.	Roman Catholics.	Presbyterians.	Other Protestant Dissenters.	Total.
Ardfert	7,529	297,131	— —	27	304,687
Down	30,583	61,465	101,627	3,557	197,232
Dromore	35,687	58,516	59,385	831	154,409
Kildare	13,986	122,577	9	384	136,956
Kilfenora	235	34,606	4	— —	34,845
Killaloe	19,149	359,585	16	326	379,076
Leighlin	20,404	170,083	198	281	190,966
Lismore	8,002	207,688	164	382	216,236
Meath	25,626	377,430	671	199	403,926
Waterford	5,301	43,371	110	443	49,225
	166,492	1,732,452	162,184	6,430	2,067,558

It was thus clear that while, in some parts of Ireland, the members of the established church were sufficiently numerous to require a considerable number of beneficed clergymen, in other parts they formed so small a proportion that it could not be either necessary or right to maintain as large an establishment as in other parts of the country. Nothing could set this in a clearer light than the following example, taken from the diocese of Ferns.

Parishes	Value.	Established Church.	Roman Catholic.
Taghmon	£446—Glebe £50	133	2,920
Ballycormick	95	10	501
Ballynilty	82	21	390
Dunleer	153—Glebe 6	159	1,460
Drumcar	53	120	1,528
Monachebone	107	9	737
Moyleary	173—Glebe 30	13	1,148
Cuppog	120	1	530
Rathdrummin	82—Glebe 20	7	662
Carrickbogget	57	—	332
Port.....	142—Glebe 5	5	800
Ullard.	280—Glebe 45	50	2,213
Glaig	440	63	4,999
Ossory	62	4	107
Balsoon	69	7	313

Numerous instances of the same kind might be adduced, all showing, that of the 800,000*l.*, which formed the revenue of the Irish church, a large portion was given to a very small portion of the people, while all the rest derived from it no benefit whatever. It was true that, within the last twenty years, greater attention had been paid to the spiritual wants of the members of the church. In this respect, he believed, the church of Ireland now stood high; but it was not to be considered sufficient that churches and glebe-houses should be built, in order to convert men from one persuasion to another. The occurrences of late years had very much diminished the probability of such conversions. In defiance of all history and experience, it had been thought fit, some years ago, to call public meetings, in order to make protestants out of catholics by controversy and dispute. The catholic clergy, being thus provoked, advised actual resistance to payment to the clergy of the opposing church. He was far from deeming that resistance justifiable, and far less the encouragement which was given to it; but it did take place, and its very existence presented an additional obstacle to the gaining over of any great class of the Irish to the church of England. That resistance had prevailed for several years; it had become so inveterate, that all the exertions of the clergy and of the government to enforce the collection of tithe had been unavailing. Thus the establishment had not merely failed to diffuse spiritual and religious doctrine among the great mass of the populace: it had produced a system which continually brought the clergy into collision with the people—which

had led to scenes of civil strife and bloodshed—had brought about a state of things utterly irreconcilable with the true ends of all church establishments — and had now made it plain that these great and paramount objects would never be aided by limiting the spiritual instruction of the people of Ireland as it hitherto had been, and by applying the revenues of the Irish church to maintaining the doctrines of the establishment, and to no other purpose whatever.

This being the case, there must be reform; and that reform should consist in adapting the establishment to the wants of those who belonged to it, and in making no unnecessary additions. If the House adopted this principle, it could not do otherwise than greatly reduce the ecclesiastical establishment of Ireland. Whatever might remain after that reduction, ought to be applied to some object by which the moral and religious instruction of the people of Ireland might be advanced, and by which they might be led to believe that the funds, which were nominally raised, were actually applied, for their benefit. It was with this view that he proposed his resolution. The use, to which he proposed to apply the surplus, was general education, according to the system adopted by the national board in Ireland, and according to which individuals of all persuasions could receive religious and moral instruction, and be brought up in harmony together. No measure would tend so much to produce peace in Ireland. From the earliest times it had been the wish of parliament to improve that country by education. This was the object of the statute which introduced diocesan schools. After a

time it was considered desirable to have a system of education, which would not interfere with any man's religious faith. This had been the object of Dr. Law, the bishop of Elphin; and this was the example which the House ought to follow, by maintaining, out of the funds of the church, schools where instruction might be given, which would make the people at least good catholics and good citizens; and he could not conceive how funds intended for religious instruction could be said to be misapplied, when devoted to objects which were likely to make men religious and moral individuals. Similar objects had been recommended by different commissioners from time to time. A commission of education, appointed in 1806, and consisting of the archbishop of Armagh, Mr. Grattan, and Mr. Edgeworth, had recommended that any system of education, which might be adopted, ought not to interfere with religious tenets: that it was not a question whether the people of Ireland should be catholics or not, but whether they should receive religious and moral instruction. Since the establishment of the national board of education in Dublin, which was introduced by lord Stanley when secretary for Ireland, there had been the most perfect harmony of feeling, and wherever schools had been established on that principle, they had been productive of the most beneficial results. A better kind of education was enjoyed, and moral and religious instruction was conveyed generally to the people, without interfering with the opinions, and certainly without shocking the feelings, of any particular sect.

He knew it was objected to the very principle of his plan, that

church property could not be diverted to any purposes not strictly ecclesiastical, any more than private property could be applied to other uses than those of the owner; but he did not see how those, who were to oppose his resolution, could take their stand upon this ground. They held that the state might give to church property a different distribution from that which existed at present, that it might take, for example, from a bishop, and give to a rector or a curate. Did that bear any resemblance to private property? Did parliament ever propose a more equal distribution of private wealth? A bill had been passed which diminished the number of bishops in Ireland, and the funds set free were to be distributed to those next in order, to deans and chapters. But supposing there was enough for them, and still a surplus, what then? It was to be applied to rectors, to churches, and glebe-houses. But it might happen that there might still be a surplus after all these objects were accomplished; and how could it be maintained, while the principle of re-distribution was admitted, that they could not carry it out to its legitimate length, and distribute the surplus in the manner in which it might be most useful? The principle they went on was this, that re-distribution was useful for the purpose of religious instruction; that was, they proceeded on grounds of public expediency and advantage. If then he could shew that public advantage required the application of some portion of these revenues to works of religious education and charity, how could his opponents maintain that they held church property more sacred than he did? To say that it should partly be

distributed and partly kept sacred, partly interfered with for public objects, and partly considered as private property, did seem to couple in one proposition the utmost absurdity with the utmost inefficiency. Another objection was, that the land which paid the tithe belonged to protestants in the proportion of fifteen to one. He could understand this argument, if an established church existed only for the rich; but as it was intended for all classes of the community, and especially for the benefit, instruction, and consolation of the poor, it was not enough to tell him that those who originally contributed to the revenue, were protestants, for he was bound to look at the effects on the whole of Ireland. Besides, whoever they might be on whom the charge of maintaining the church ultimately fell, it was notorious that it was now levied on persons of the catholic faith, who derived no benefit from the establishment.

These were the grounds on which he supported his resolution, and the course which he intended to follow was this. Should the House resolve itself into a committee on the motion, and should the resolution be carried in a committee of the whole House, he would move an address to the Crown embodying that resolution, with an humble entreaty to his majesty that he would be pleased to enable the House to carry it into effect; for a measure of this kind should be introduced by a message from the Crown.

His lordship could not avoid adverting to the glaring inconsistency of having urged last year the mischief of passing such a resolution without inquiry, and of now insisting that such a resolution

was a most proper and necessary resolution to be come to, while the very persons appointed to inquire had as yet furnished no information. He justified this change on the ground, that sir Robert Peel, without waiting for the report of the commissioners had declared that he would in no case consent to the application of church property to any but ecclesiastical purposes. It was not easy to follow the logic of such a view. Sir Robert Peel had declared, that, even if the commissioners reported a surplus, he would resist the application of it in a particular way; therefore, said lord John Russell, I am equally entitled to have it declared that, even if the commissioners report no surplus, the surplus shall nevertheless be devoted to particular objects. The prime minister, said his lordship, had announced that the commission might go on, but that he should care for its report in no otherwise than as it might enable him to make a better distribution of the church property among its members; that he had made up his mind not to forego the principle of maintaining the application of the property of the church to its present purposes, and that the House should never have the means of carrying out a measure for the objects it had in view. If that was the case, it was quite necessary the House should come to some distinct resolution upon the subject. It was far better that the House should now at once come to a decision, and should not be going on night after night, and week after week, without knowing whether the ministers of the Crown did or did not enjoy the confidence of the House of Commons upon this great and important question. He thought that

what he had said would be sufficient to set aside any argument that might be drawn from the fact of the reports of the commissioners not being on the table. Gentlemen on the other side were welcome, if they pleased, to say it was inconsistent to bring forward a motion on the subject without the reports being on the table. They were quite welcome to throw out those taunts; but he thought it was sufficient that the state of the question was essentially changed, that a decided opinion had been pronounced on the other side of the House, and, that decided opinion having been so expressed, that it was quite necessary and essential to ask, whether the ministry would adopt the principle now proposed, or whether they would appropriate the revenues of the church of Ireland, or any part of them, to uses through which the general population of Ireland could derive advantage?

The debate which followed was continued by adjournment on the 31st of March, and the 1st and 2nd of April. Sir Edward Knatchbull, who immediately followed lord John Russell, wished the House first of all to mark what was the real object, and, after the latter part of his lordship's speech, no longer the concealed object of the motion viz., to defeat indirectly a minister whom he did not venture to attack directly. The noble lord had found it necessary to justify himself for bringing forward the resolution. He had sought that justification in the fact that sir Robert Peel had announced a particular opinion; and what was the practical course which he proposed to adopt? Anticipating the concurrence of a majority in the resolution, he said that he would then move an ad-

VOL. LXXVII.

dress to the Crown for no other purpose but in order to inform the Crown that the opinion of that House was directly opposite to that expressed by the chancellor of the exchequer. That might be a right, reasonable, and legitimate mode of procedure, but in his judgment, at least, it would have been a more considerate, a more manly, and a more consistent course for a statesman to pursue, boldly and at once to bring forward a motion to the effect, that the House had no confidence in his majesty's government. But the noble lord had not ventured to adopt that course; and, by the resolution which he now moved, he proposed to do that indirectly which he had not the boldness to bring forward in a direct and open manner. To the proposition itself he must withhold his consent on this distinct ground—he was not prepared to apply church property to other than protestant church purposes. The gist and effect of the proposition was this, and nothing more — “I desire to take from the property of the church of Ireland, which had nothing more than she required, and give it to the rival catholic establishment.” And yet he charged ministers with an equal violation of principle, because they conceded the redistribution of the church property among protestant clergymen. Was there no difference between taking property from one protestant and giving it to another for the purpose of promoting the original intention, and alienating that church property to quite contrary purposes which would only tend to the destruction of the establishment, by aggrandizing the Roman Catholic church? On that point rested the whole question. He regretted very much

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that a question involving so much religious feeling should have been so mixed up with political party animosity; but it was brought forward in circumstances, which, looking at the words and conduct, not twelve months ago, of the very men who now pressed it, rendered it difficult to discuss it without some bitterness of feeling. When Mr. Ward made the very same motion last session, what said lord John Russell? "Two courses had been proposed. The first was, to pass a resolution containing a general opinion on two or three matters of fact, and ending by calling on the House to affirm some abstract principles." The noble lord knew not whether there would, in fact, be any surplus revenue after providing for the wants of the protestant establishment; certainly he was ignorant of the fact last year, for he had suggested the commission of inquiry for the purpose of ascertaining it; and although he had gone into much statistical detail on the present occasion, it was quite uncertain whether those statements were correct. He did not at all wish to impugn their accuracy; but he wished to know where the noble lord had acquired that information, and why it had not been laid before the House? Was he to understand that the commission issued by the Crown and sent to Ireland for the purpose of obtaining information, which was necessary in order to guide their deliberations, had made their report to lord John Russell? Either that was the fact, or the noble lord had no better ground to rest upon than he had last year, when he thought it necessary, along with his colleagues, to appoint that commission in order to obtain further information. "Last year," the noble

lord went on to say, the other course proposed was to have a commission of inquiry; that was supposing that it was competent to parliament to deal with the subject, and reserving to the next session the practical measure to be proposed for remedying the abuses of the Irish church. The first course suggested appeared to him a very bad one, and one from which he entirely dissented. It would be exceedingly imprudent, he thought, in the present state of things, to adopt a general resolution affirming an abstract principle, instead of proceeding to a practical measure. He had had sufficient experience in Parliament to teach him that this would be a very improper line of proceeding. If, as some hon. gentlemen supposed, it should appear upon inquiry that the revenues of the church of Ireland ought not to be reduced, that would strongly confirm his opinion. This was what he collected to be the notion of the hon. Member for Middlesex. (Mr. Hume—'No, no.')

He had, it seemed, misunderstood the hon. gentleman. The hon. gentleman certainly never understood the ministers; but he believed the hon. gentleman said, that if, on inquiry, it should turn out that the revenues now derived by the Irish church were properly applied, then no legislative measures would be necessary. Would it not be absurd for the House to adopt a general resolution, and next session call on hon. members to rescind it?" Such was the language of the noble lord; and, on the same occasion, the language of Mr. Spring Rice was, "This commission will give to the House and to the country all that hon. gentlemen had a right to expect. Take either the resolution or the commission, but let not the House

insist on taking both, for the combination of the two was one of the greatest absurdities that could be perpetrated. Was the House determined to decide first and examine afterwards? Was it because this was an Irish subject that the House was determined to act in so Irish a manner?" Yet, now, these "greatest absurdities" were to be perpetrated, and this line of proceeding "exceedingly imprudent" and "very improper" was to be adopted by these very men, because it might enable them to compel the ministry to resign.

Mr. Ward himself, whose similar motion in the preceding session had been put aside by the appointment of the commission, entered at great length into the general question of the right of the state to appropriate church property to whatever purposes of public utility it might select; contending that no member should give his vote without remembering the undoubted right which Parliament possessed of dealing with all corporate property in such manner as the welfare of the community might require, and of so disposing of it as to accommodate its distribution to that state of things which the alterations of time might bring about, or the progress of society occasion. If the House found any establishment incompatible with the interests of the country, it was bound in duty either to renounce it altogether, or to make it compatible with those interests. A religion was not believed, because it was established, but it was established, because it was believed. We had two religions established by law — one in England, and one in Scotland. Each of these was the es-

tablished religion, because it was believed to be true, by the great majority in those countries respectively. We applied the same principle in Hanover and in Canada, and yet we refused to extend it to those who had much stronger claims on us—the 6,000,000 or 7,000,000 of the catholics of Ireland. It was at the system the house must strike. Salving over difficulties, as they arose, with donations from the public purse was a course of policy which could no longer be pursued. For a considerable time they had found themselves in a position, in which they were unable to enforce a law which they had not the moral courage to repeal. The tendency of the measures they had persisted in adopting was, not to restore confidence, but to add contempt to hatred. While freedom of discussion continued to exist in Ireland, nothing could satisfy her people, which was not founded on the eternal principles of justice. They might flatter themselves with the belief that peace might be established by means of a wise system of commutation, enforced by the presence of a sufficient army; but he did not think such an effect could be produced unless the measure were accompanied by a change of appropriation. All they could do was to transfer to the landlord the odious responsibility of collection. The landlord could not forfeit his whole claim, and that which he retained he would find it necessary to enforce; because they might depend upon it, be it never so small it would be resisted, inasmuch as it would be regarded as money demanded on account of a sinecure church. Government would then be obliged to give them the army to enable them to enforce the collection, and the

only difference between the new state of things and the present would be, that the landlords would have their Rathcormacs instead of the clergymen. It was not sought by him or by any party to give the whole protestant establishment of Ireland to the catholics, and he was sure that the catholics did not desire and would not accept it. They were too well convinced of the soundness of the voluntary principle to wish any change in it; but he believed that they did desire to see a different application of a portion of the revenues of the established church.

Sir James Graham spoke against the resolution at great length. He denied that the income of the Irish church, amounted to 800,000*l.*, as had been stated by lord John Russell, and maintained that it did not exceed 620,000*l.* Even on that amount a charge had been made of not less than 70,000*l.* a year, being the vestry cess, which had before been charged on land—a charge equal to an eighth or a ninth of the whole amount. A tax, likewise, had been laid on all benefices varying in amount from 3*l.* to 15*l.* per cent, and the act which did so went to meet the very objection which was one ground of the present motion, that money was paid for religious duties which were not required. It enacted, that where a minister derived a revenue from a living in which there was no protestant population, that living, on becoming vacant, should not be filled up; and the test of there not being a protestant population was the very best that could have been selected. It was, that in any living in which divine service had not been performed from the year 1830 to 1833, and in which

a vacancy occurred, the ecclesiastical commissioners should suspend a re-appointment, and that the revenues of that living, after providing for the payment of a curate, should be applied to other purposes strictly protestant by destining them to parishes differently circumstanced. Why was it, then, that some members were so eager to get at the small sum which might arise out of the proposed appropriation of the revenues of the Irish church? Small that amount would comparatively be; for he did not believe the mover of the resolution and his friends contemplated, if they had their own way, to take from the church of Ireland more than 100,000*l.* per annum. They did not mean to apply these surplus revenues to the payment of the national debt, or to the exigencies of the state—they did not seek to confiscate them in favour of the Irish landlords; but his conviction was, that it was the wish of many of those who supported the present proposition to take these revenues, not because the state was poor, but because the church was rich—not that the state might gain, but the church might lose them. Such a doctrine as this most completely broke down the great principle which was at the foundation of all property, and which it ought to be the object of a government to maintain—a doctrine which, if once relaxed, would bring any nation from the condition of civilisation to a state of barbarism. He believed, in his conscience, if the altered appropriation was once allowed, that in a very short time the protestant religion would cease to be the established religion in Ireland, and that incidentally a principle would thereby be intro-

duced, which would be fatal to the church establishment here also. He contended that the evils of this proposed appropriation would not be limited to Ireland, but would be extended here, and the church of England would be not only endangered, but ultimately destroyed. It was to avoid this very danger, that the Irish legislature had stipulated in the treaty of Union for the safety of the Irish church. The engagements in the articles of Union had always pressed heavily on his judgment with reference to this subject, and though he did not contend it was like the laws of the Medes and Persians, and could not be altered, there was still one particular article of the Union which rendered it peculiarly binding. He looked to the circumstances which had attended the completion of that measure, and he found that there was in Ireland a legislature exclusively protestant, and that without the consent of that legislature, the Union could not have been effected. What was then the position of that protestant body? They felt their weakness in one respect,—namely, in being surrounded by a dense population differing from them in their religious creed, and they were conscious that their religion was that of a small minority in the country. Hence then their weakness; and how did they seek to strengthen their position? Why, by making it an essential and fundamental ingredient in the articles of Union, that the united church of England and Ireland should be for ever maintained. It appeared to his mind that this was the moving consideration to the weaker party upon the very face of the contract. Such being the

case, should the Commons of England now, even before many of the parties to that compact had passed away, ungenerously withdraw from it that main and moving consideration which in his judgment had led to its completion, and had induced an independent legislature to enter into it? This point might be treated as undeserving of grave consideration; but in his conscience and judgment, he thought it most important;—so much so, that he regarded with jealousy this first attack—an attack which he believed would lead to the establishment of Catholicism as the religion of Ireland, and to the separation of the two united protestant churches of Ireland and of England.

Sir James Graham then entered on the question, how far such a measure as was now proposed would tend to pacify Ireland, and argued on the absurdity of imagining that resistance to paying tithe to a protestant church would be removed by applying a small fraction of it to purposes partly of a different kind. Supposing that the incumbents were removed from one-fourth of the parishes in Ireland, would the change be satisfactory to the remaining three-fourths, in which the ministers would still reside, where tithes would be still unabolished—in short, where everything would remain *in statu quo*. If, in one-fourth of the parishes the new principle was applied, if the revenues were paid to the board in Dublin, and the parishes left to take their chance of what that board might think fit to award for purposes of education, would the inhabitants of these districts regard the neighbouring parishes, in which the ministers still continued to reside, spending

their incomes among their flocks, with other feelings than those of envy and jealousy? Was this a course likely to add to the peace of Ireland? No; if peace was the object of this measure, its success was indeed hopeless. Peace had hitherto often been the promise which Ireland had made for important changes and concessions, but that promise had always been broken. Expectations and assurances of tranquillity were held out, to induce Britain to give way, while the real design, and the design now openly declared was, to proceed step by step till the Protestant church was annihilated. When Mr. Sheil was examined before the Select Committee of the House of Commons in 1824-25, he was asked, "Do you think, in case the general question of Catholic emancipation were settled by Parliament, there would be a power existing in any individual to get public assemblies together, and to create a combined operation in Ireland." His answer was, "I am convinced that it would not be in the power of any man, no matter how great his influence might be, nor no matter how perverse his ambition might be, to draw large convocations of men together in Ireland; nothing but the sense of individual injury produces these great and systematic gatherings, through the medium of which so much passion and so much inflammatory matter is conveyed through the country. Let me take the question of the Union as an example; there are many who suppose that if the Catholic question were to be satisfactorily arranged, the merits of the Union would be discussed. But I am convinced, that if the Catholic question were settled, a great body of the population, so

far from being dissatisfied, would be perfectly contented with the Union, or be indifferent to it. Whenever any mention is made in a Roman Catholic assembly of the evils of that measure, it is made for the purposes of rhetorical excitement, and not with any serious view, upon the part of the speaker, to disturb that which, in my humble judgment, is perfectly indissoluble. In answer to the question, I beg to add this,—that I am perfectly convinced, that neither upon tithes nor the Union, nor any other political subject, could the people of Ireland be powerfully and permanently excited; at present, individuals feel themselves aggrieved by the law, and it is not so much from public sentiment, as from a sense of individual injustice, that they are marshalled and combined together." The House knew well how this augury had been answered. On the same occasion, Dr. Doyle was asked, "Would the objection to tithes, as they now stand, be removed in any degree by giving admissibility to political power to the Roman Catholic laity? Yes; I do conceive that they would be greatly removed. In what way?—I conceive that the removal of the disqualifications under which Roman Catholics labour would lessen considerably those feelings of opposition which they may at present entertain with regard to the establishment, chiefly for this reason—that whilst we labour under the disabilities which now weigh upon us, we find that the clergy of the establishment, being very numerous and very opulent, employ their influence and their opulence in various ways in opposing the progress of our claims; and I do think, that if those claims

were once adjusted, and the concessions which we desire granted, the country would settle down into a habit of quiet, and that we should no longer feel the jealousy against the clergy of the establishment which we now feel; because that jealousy which we do feel arises chiefly from the unrelaxed efforts which they have almost universally made to oppose our claims. We should view them then, if those claims were granted, as brethren labouring in the same vineyard as ourselves, seeking to promote the interests of our common country." Every one of these hopes had been falsified; every one of these promises had been forgotten, and in their place had come triumphant exultations over the approaching downfall of the Protestant church. Let the House only listen to the sentiments of Dr. M'Hale, a Roman Catholic bishop—one of the fellow-labourers with the clergy of the establishment in the same vineyard—sentiments expressed by him in 1833, when he was in the full enjoyment of all his civil rights. "After all the evils which have fallen on this devoted land, it is a consolation to reflect that the legislative axe is laid at last to the root of the establishment. The pruners of our ecclesiastical establishments have not read the Roman history in vain, when the ten overshadowing plants, which spread their narcotic and poisonous influence all around them, have been laid low. This is but the prelude to a further and still more enlarged process of extinction." That, he supposed was a prophecy respecting the present motion. "By every successive reform abuses will be removed, until it is to be hoped, that

not a single vestige of that mighty nuisance will remain." What better witness could there be as to the designs of the Catholics, or the conditions on which they would submit to the law, and restore peace to Ireland, than Mr. O'Connell, of whom Lord John Russell was now the accredited agent? No farther back than October, 1834, Mr. O'Connell spoke out plainly in a published letter, addressed to a Mr. Crawford; and, discussing the proceedings regarding tithe in the last session of parliament, he there said, "It is quite true that I demanded, for the present, but a partial reduction—it was three-fifths—of the tithes. Why did I ask for no more? Why did I not demand the abolition of the entire? Because I had no chance, in the first instance, of getting the entire abolished; and you perceive that I was refused the extent which I asked, being three-fifths, and only got from the House of Commons two-fifths. I had, therefore, not the least prospect or possibility of destroying the entire; and because I am one of those who are and have been always ready to accept of any instalment, however small, of the debt of justice due to the people—the real national debt—I have been and am ready to accept of any instalment of that debt, determined to go on, and look for the remainder as soon as the first instalment should be completely realised. It is totally untrue, that I acquiesced in the perpetual continuance of the remaining three-fifths of the tithes." The honest and reflecting part of the ministry must perceive that tithes must be abolished—totally, unequivocally abolished,—abolished without delay or condition. Nor did he leave them

in the dark as to the appropriation of church property; for in another letter, in September, 1834, he said, 'My plan is to apply that fund, in the various counties of Ireland, to relieve the occupiers of land from grand jury cess.' That looked very like a confiscation in favour of the landlords of Ireland. "My plan is to defray all the expenses of dispensaries, infirmaries, hospitals, and asylums, and to multiply the number of these institutions, until they become quite sufficient for the wants of the sick." That is to say, that church property is to be granted to the landlords of Ireland, to enable them to do that which, without confiscation, they are bound to do by the law of humanity, if not by the law of the land—namely, to provide for the relief of their poorer brethren.

On what ground then could it be maintained, that this resolution, under which certainly only a small portion, and possibly no portion at all of the tithes would be taken from the Protestant church, would pacify and satisfy the Catholics? In itself, it was inconsistent with the continuance of Protestantism as the established church. If there was to be an established religion, there must be ministers resident in every parish. That was the very essence and substance of an established religion. To have this, two things were necessary. The provision made for them must be certain,—it must be beyond the reach of fraud,—it must be beyond the reach of agitation,—it must be beyond the reach of influence, in order to avoid the disgrace of the pastor's shaping his doctrine, not to the standard of truth, but to the taste of his hearer. It must be sufficient

to maintain them in an independent station, and not only them but their families; for our religion permits our clergy to marry, and an unmarried priesthood was, in his opinion, an unholy priesthood. Now, he contended, that the salary attached to the majority of Irish benefices was not too large for the maintenance of their incumbents. If superfluity any where existed, it was the exception, not the rule. In Ireland, there were 1,452 livings, and returns had been made of the revenues of 1,123 of them. From these returns it appeared, that 570 livings, more than one-half of the whole, were under the annual value of 250*l.*; that 854 were under 450*l.*; and that 948, being four-fifths of the whole, were under 500*l.* per annum.

In conclusion, sir James pressed upon all who laid claim to the name of sincere and genuine Whigs, to oppose this mischievous and disastrous resolution. Whig principles consisted not in death's-head and cross-bones denunciations against those who venture to exercise their civil franchises according to their conscience—nor in prayers for mercy limited to them in heaven, but not to be extended to them on this side the grave. Whig principles consisted not more in the love of civil liberty than in jealousy of the Catholic religion as an engine of political power, when it arrogated to itself a right to ascendancy, and claimed to put other religions under its feet; and above all, he considered genuine Whig principles to consist in a warm attachment to the Protestant religion, as by law established. He had, upon this question, a strong religious feeling. It was a vital question, on which no farther

compromise could be made. He had carried compromise upon it, when in office, as far as principle would allow ; but farther he could not go. He held that the property, which had been set apart by our ancestors to maintain and propagate the Protestant religion, was sacred, and ought to be applied to sacred uses. More than that—he said that those who ministered to the altar ought to live by the altar. “ That principle is high as heaven, and you cannot reach it—it is strong as the Almighty, and you cannot overturn it, it is fast as the Eternal, and you cannot unfix it. It is binding on you as a legislature composed of Christian men and acting upon Christian principles and Christian considerations ; and no consideration upon earth will induce me to compromise and destroy it.”

Lord Howick spoke in favour of the resolution, but disclaimed, in doing so, all participation in any wish that it should be the means of turning out the ministry. He had declared, in the debate on the address, that, though he voted for the amendment, he hoped and believed that it would not lead to the resignation of the ministry ; because he foresaw great difficulties consequent on an abrupt dismissal of the present government, and the apprehensions which he then entertained certainly had not diminished. So far from its being a matter of congratulation to him that ministers had staked their existence as a government on being able to maintain the Irish church in its present state, he had much rather that they acted on this question as they had acted on others,—forgotten in power what they now perhaps regretted having uttered in opposition, and adopted the views of their predecessors.

He could have been well content for the sake of those with whom he acted, that they should give up all claim to the merit of passing this great and healing measure—for passed he hoped it would be—in order that it might be carried peaceably and quietly, and without danger to the state. But if ministers had determined otherwise, it was not for him, now that this important question had been submitted to the House, and he was distinctly called on to give his opinion respecting it, to shrink, whatever might be the result. Neither did he wish to be set down as sharing in the sentiments expressed by Mr. O’Connell in the letters which sir J. Graham had read. He held no such principles, and it was because he did not, and because he wished tithe property to be preserved, that he was anxious the House should adopt the resolution which his noble friend had proposed. It was idle to conceal from themselves what was the real grievance of which the people of Ireland complained. He admitted that there was a considerable mistake prevailing in Ireland with respect to the nature of tithes ; the people generally regarded them as a tax from which they desired to be relieved. He was quite willing to admit that the abolition of tithes would be productive of no benefit to the great body of the people, because, in consequence of the great competition for land, the whole advantage would go into the pockets of the landlords. Did it however follow that there was no real grievance ? He had always been of opinion that when general discontent prevailed in a nation for a long series of years, there must be some ground for it. The people might easily be deceived as to the

nature of the evil under which they suffered, and still more easily as to the best remedy for it, which he believed to be the case with respect to Ireland; but the people were groaning under the grievance that the property, which was intended for the benefit of all, was applied in a manner which was beneficial to none. If the property of the Irish church was given to maintain and propagate the Protestant religion in Ireland, had it done so? It had not only failed in accomplishing this, but had been most injurious to the cause of religion among the Protestants themselves. It was hopeless to retain the property for the support of the Protestant church in Ireland, in spite of the feelings and wishes of nine-tenths of the population. The attempt to do so would convert the property which ought to be the means of spreading the benefits of peace, civilisation, and religion, through the country, into the means of deluging Ireland with blood, and throwing it into confusion from one end to the other. It were better for the interests of the Protestant religion that that property should be swept away at once, than continue to be the cause of the struggle which was going on in Ireland. It was not sufficient to change the mode of collecting tithe, by imposing the charge upon the landlord instead of the tenant; the people of Ireland must have an interest in the application of the fund. It was undeniable that in Ireland, an immensely wealthy establishment was kept up for purposes from which the great body of the people derived no benefit, and that the present condition of Ireland furnished the clearest and most practical proof that that establishment

had utterly failed to answer the great ends for which it was instituted. The plan now proposed would provide for the maintenance of a sufficient number of Protestant ministers, and then apply the surplus to the furtherance of the system of national education, which he was happy to hear was working well. Could anything be more unobjectionable? Could anything be better calculated to promote the interests of religion, apart from the consideration of any particular creed? He denied that there was any inconsistency in those who opposed Mr. Ward's resolution last session supporting the present motion. The present was free from serious objections to which the former resolution was liable; but if it were drawn up in precisely the same words, there would not be the slightest inconsistency on his part in supporting it. When the question was moved last year, the then existing government had, by the issuing of the commission, avowed their intention to recognise the principle of appropriation. The ministry now stood upon a totally opposite principle; and it was necessary to decide whether Ireland was to be governed on the one principle or on the other. As to the late government having acknowledged that it had not the information sufficient to enable it to deal with the question, he admitted that, when they came to devise the practical details of a measure, it would be necessary for them to have before them the information which would doubtless be contained in the report of the commissioners, and he trusted that they would have ample time to proceed upon that report during the present session, and that the tithe bill would not be allowed to

go out of that House without containing clauses in which the principle for which they were that night contending would be embodied. In the mean time, however, he would maintain that the House was in possession of all the great leading facts which would enable it to form a judgment with respect to the principle.

Mr. Sheil, in supporting the motion, declared that the Irish catholics had no antipathy to the protestant religion, but they looked upon the protestant church as a monument of their conquest, and they looked upon it with feelings of aversion, for they found nothing in scripture of impoundings and incarceration. The fact was, the protestant church establishment was anti-national, and the people could not be prevailed on to regard it as otherwise. The people saw the clergy of the established church receiving large sums of the public money, while those of the catholics had not dipped their fingers into the public purse. Mr. O'Connor said, that by the carrying of this measure all his hopes would be realised, and with so much interest did the people of Ireland look to the adoption of this principle, that if the resolution passed into an act, they would be more gratified than by being relieved of two-thirds of the tax.

Mr. Poulter and Mr. C. Wood likewise spoke in favour of the resolution, contending that the objections of the Irish were to the nature of the tithe, not to its amount or to the mode of its collection, and yet apparently not seeing, as was answered by the opponents of the measure, that if it was so, the only way of removing these objections was, not by the appropriation of a surplus,

problematical in its existence, and small in its amount, leaving the great mass of tithe to bear precisely the same objectionable character which it did before.

After Mr. Lefroy, Mr. Gladstone, and sir R. Inglis had spoken against the motion, the first of these gentlemen entering into various details to show that the revenue of the Irish church did not exceed half a million, or furnish, upon an average, more than 275*l.* a year to each incumbent, the solicitor-general, sir William Follett, addressed the House. Adverting to a statement with which lord John Russell had opened his speech, that parliament was bound to reform the Irish church on the principle now proposed, because it had unanimously addressed the Crown against any repeal of the Union, and that the Union could not be maintained if this measure was rejected, the Solicitor-general observed, that this mode of handling the topics could have no other effect than to irritate and inflame the people of Ireland, and fan the fire of religious discord, which the other side of the House expressed themselves so anxious to extinguish. How was it that the noble lord, while he said to the Irish people, "if parliament does not give up the church establishment, clamour for a repeal of the Union," said to the English members, "although you believe that the success of my resolution will be dangerous, not only to the stability of the Irish church, but even to the existence of the church of England, and pregnant with danger to the most cherished interests of England, still you must either vote for my motion, or consent to a repeal of the legislative Union?" That was the address of the noble lord

to the representatives of England; and he, as one of those representatives would say, that whether these principles were supported by the noble lord, or by any of his new associates, he should feel that he was not discharging his duty, if he did not vote against that motion, or any other which he believed to be injurious to the best interests of his country. Although the mover of the resolution had not followed out his principle to its natural consequences so plainly as other members who had followed him on the same side, he had left the House in no doubt as to what its final result would be—the destruction of the protestant establishment and of the protestant religion in Ireland. This was the principle which a British House of Commons was called on to sanction; the proposition incessantly repeated was, that the catholics would never be reconciled to the existence of a protestant establishment in Ireland—that the evil lay in a catholic country maintaining a protestant church.

What did the proposed resolution call on the House to do? It called on the House, at this stage of the business, when they had no information to guide them, first to declare that there was a surplus revenue accruing from the church of Ireland; and next, to pledge itself to devote that surplus to a specific purpose. The first question was, whether there was any surplus at all: some said there was; others said there was not. Of those who maintained that there was a surplus, none had said how much, and nobody had said it would be large. Could the House proceed to legislate in the dark?—how could they come to a cor-

rect decision on this point, unless they knew the particulars of the case, unless they knew how many advowsons there were in Ireland, and what was the number of protestants in each parish? Was it possible, without this information, for the House to come to a specific resolution, and say they would appropriate a surplus which had no existence? The resolution was the same, he did not say in terms, but in substance and spirit, as that which the late ministers opposed last year? When that resolution was brought forward, what did they do? They issued a commission for the purpose of inquiring into the state of the Irish church, and said, “We will meet your resolution with a negative, for the present is not the time to bring it forward.” And how did we stand now? The commission had been issued; the report, though not presented, was nearly ready; and the House of Commons was asked to vote for the same resolution. If the House should unhappily be led to concur in this resolution, it would involve the country in a difficulty from which it would not be easy to extricate it. If, then, he had no other reason than what he had stated, he should object to the resolution. But he objected to it likewise, because it assumed the right of the state to interfere with the property of the established church. It was said, “you who support the chancellor are guilty of the grossest inconsistency. You have allowed him to deal with the property of the church, as national property, by re distribution, but you will not permit us to do so.” But there was a broad distinction between dealing with property as the national property, and carry-

ing into effect the intentions of those who left property to the church. The very fact of the property of the church being held by a great body, proved that it could not be, in all its incidents and all its analogies, like property held by private individuals. If it was shown to him that there was a necessity for applying the revenues of an establishment in a different manner from that in which they had hitherto been applied, in order to promote the ends of the institution itself, he would not object to the proceeding; but if they were to be applied to different purposes from what the property had been held for, and diverted from the very trusts for which they were so held, that was a principle which might equally apply to private property. Now what were the trusts and the purposes for which this property had been left? The house had been told that nearly all the property now possessed by the church of Ireland had been left for the use of the Catholic church. If this principle was to be admitted, as applying to the Church of Ireland, it would apply with equal force to the established church of England. The belief of the people of this country was, that the Reformation did not create a new religion, but merely tended to the purification of religion, by its restoration to those principles from which they conceived it to have departed. The property, therefore, of the established church was now, as it always had been, the property of the established religion of the country. If, then, they diverted that property from those purposes,—if they admitted the Catholics of Ireland into a participation in the benefits of those revenues, they would be diverting

them from the purposes for which they were intended; and in the same way they might apply a portion of the revenues of the church of England to the support of any body of dissenters who might happen to be more numerous than the frequenters of the established church in any particular parish. He would ask, whether the people of England (for it was after all to the people that they must look) would consent to such a principle, or whether there would not be a general exhibition of that feeling which in some parts of the country had already displayed itself? He would ask whether they would consent, when they became acquainted with the nature of this resolution, to a measure which would injure the Protestant church of Ireland, and the established church of England? Or would the people treat this conduct with greater indulgence, when they came to see that all this seemed to be done to gratify a party purpose, by turning out a ministry who would not retain office, when it could be retained only on condition of abandoning the rights of the church, and the safeguards of the constitution? The consequence of their resignation would only be to delay even that relief in the mode of collecting tithes, for which the people of Ireland were said to be panting. That resignation undoubtedly would have for one result, that the great question of tithes must remain unsettled for a time. But suppose the late ministers returned to power. Was it not conceded even by themselves that they must now form a junction with those persons,—he did not wish to mention the names of individuals—who had already been pointed out for office? Those were

the individuals to be selected for England, and what would be the case with Ireland, when the member for Dublin had such sway in that house? If such a government was formed, it could not possibly for one month or one hour possess the confidence of the people of England. But although he did not believe that a government so formed, and coming into power on the basis of such a resolution as this, could have a long tenure of office, still he did fear that the mere accession to power of such a government would give an impetus and a force to the great movement party in England, which might, after successive conflicts, terminate unfavourably for the constitution.

The Solicitor-general was followed by sir J. Cam Hobhouse, who represented his arguments as having been not so much an address to the reason of the House, as an appeal to their fears—to “the palpitation of their pockets”—lest the principle of the resolution should endanger private property. The proposition that church property was in its nature and for ever inviolable, had been long ago proved to be one, which, if carried into general effect, would be destructive of the progress of society; because it would come to this, that they might have a great state engine maintained at great expense, at great risk, which, after an experiment of 300 years, was found not to have contributed to the happiness of the people; and that they must still maintain that great state engine upon the mere principle of its being inviolable, simply because they chose to call it so. Blackstone has these words—“As in matters of faith and morality they acknowledge no guide but the Scriptures, so in matters of external policy and

of private right they derive all their title from the civil magistrate; they look up to the king as their head, to the parliament as their law-giver, and pride themselves in nothing more justly than in being true members of the church, emphatically by law established.” This showed that the church of England, and, of course, if the church of England in England, then the church of England in Ireland, was emphatically the offspring, the child of the law; and a parent might deal with that child. The church of England, in its establishment, was the child of the law; the law made it, and as the law made it, so the law might deal with it. Could that be doubted? Had it been doubted in any civilised or Christian society before? He had heard common criticisms on this subject, but he was not aware that, in any country under the sun, it had been doubted that the church establishment had been the creation of the law. That the law ought now to deal with it unfortunately was too clear. The real question was this, whether or not the House intended that the Catholics of Ireland should understand that they were to participate, to a certain degree, in the advantages of the establishment, which they now considered altogether hostile to them. As long as that question was left unsettled, they never would be able to reconcile the Catholics of Ireland. How was it possible, after the details which the house had heard, supposing almost any portion of those details to be true—supposing there was only one Protestant to fourteen Catholics, how was it possible the Protestant establishment should be satisfactory? Force in Ireland had been tried, and force had failed.

The law had been tried, and the law had failed. Public charities had been tried, private benevolence—all had failed. There was only one thing wanting, and that was an acknowledgment that henceforward the enormous establishment of the church should be reduced to such a condition as the spiritual wants of the people required, and that, if there was any surplus, that surplus should be applied to the education of the population generally.

Mr. Praed argued, that even conceding the existence of a surplus, if it was to be taken from the clergy, the right of private property in it would be destroyed, and the supporters of the motion would then have to make out, that they had a right to levy, say a sum of 100,000*l.* per annum on the people of Ireland, for purposes of moral and religious education. For his own part, he would not support any such proposition, knowing, as the house knew, the state of extreme destitution in which a large portion of that people was suffering. How often had there been exhibited to the house moving pictures of the tithe proctor exacting tithes from the most appalling poverty; yet all that now was proposed to be done, was to exact the tithes from these same people, in order that they might be educated, although they might be naked and starving. If the money was to be diverted from the pockets of the clergy, thereby narrowing the means of individual benevolence, there were, unfortunately, far more urgent objects to which it might be applied than education. But how was it to be collected? Mr. O'Connell stated in his evidence in 1825, "I am sure the Catholics would have a strong objection to

pay their own clergy tithes; abstract points of faith do not enter much into their view of the subject" and Dr. Murray, the titular archbishop of Dublin, stated, "It is a general opinion that the establishment is unnecessarily rich; but I do not observe any feeling in Catholics, as Catholics, to exert themselves for its curtailment. The feeling is rather an opinion of political economy than a religious feeling on the question. As religionists they have no particular feeling." The same person answered in the affirmative to the following question. "The committee understand you as saying, that it is the burden itself that is oppressive, and not the circumstances of the person to whom it is paid." Now, if the Catholics would object to pay tithe to clergy of their own communion, would they not equally object to pay it as a tax for education? Mr. Praed likewise pressed strongly the objection to voting a resolution for appropriating a surplus without inquiring whether a surplus existed, and still more strongly the objections which had been urged by the late ministers themselves to such a vote. Lord Althorp had said, "the greatest exaggerations are prevalent as to the revenues of the Irish church, greater than upon any political topic that has come under my consideration. I confess, that until I looked into the subject, I had exaggerated even to myself the amount of the revenues of the Irish church establishment." In the discussion on the Irish church temporalities bill in 1833, Lord John Russell, in speaking of the withdrawal of the 147th clause which involved the principle of appropriation, said, "We must not, for the sake of a shadow, a

mere abstract principle (the present establishment of which can be of no service), risk the peace and tranquillity of the country;" and again, "With regard to the proposition that the Protestant ecclesiastical establishment exceeds the spiritual wants of the Protestant population, and ought to be reduced, I think that is a question with regard to which any measure that you may adopt should be founded on facts. I have a strong opinion on the subject, and I have made no effort to disguise it. But I do not think it becoming a legislature, or advisable, from prudential motives to come forward with a general resolution affirming an abstract principle." Lord Palmerston, again expressed himself thus in regard to Mr. Ward's motion: "The advocates of the motion wish first to assume the facts, and then to inquire whether these facts really exist to bear out the conclusion he founded on this assumption. It seems to me that it would be the grossest absurdity for the House to accede to the motion proposed. It would be unwise and improper for the House to deal with any question unless prepared to do so by previous information. But it would be especially unwise upon such a question as this, which, as involving the religious feelings of the whole community, ought to be handled with more peculiar caution than any other." Here were the recorded opinions of three leading members of the cabinet. A fourth, Lord Brougham, whose authority could scarcely be reckoned of less weight, had said: "I am much in the dark on this subject; give me an inquiry to enlighten my

ignorance. I do not know that there is a surplus; and if there be a surplus, I do not know its amount;" and his lordship only in the month of August last, thus expressed himself. "I said that I would not consent to the appropriation of any surplus arising out of church property to any other than Protestant purposes, as contradistinguished from any thing like a proposition for applying such a surplus to the support of the Roman Catholic hierarchy. I did not refer to ecclesiastical purposes at the same part of my argument. I stated most distinctly, that it was useless to argue the question of appropriation, until it should be ascertained, from the inquiry of the commissioners, whether there was a surplus, or whether it might not be necessary to add to, instead of taking from, the revenues of the Irish church; but I added, that if a surplus should arise, it would be necessary to appropriate it first, and before every thing, to ecclesiastical purposes, and after that to a purpose, though not strictly ecclesiastical, yet intimately connected with the welfare of the established church—namely, education on the principles of the protestant church. Further than that I did not go, and I stated at the time that every controversy of that kind was premature, because the question might never arise, and I think there is no wisdom in discussing hypothetical cases." Or would it be said, that if it turned out there was no surplus, then the resolution was merely an abstract proposition, and would do no harm? This had not formerly been the opinion of those who now supported the motion; for Dr. Lushington had

expressly met this argument, "What can be gained," he had asked, "by assenting to this proposition? Are we to assent to it merely that we may conciliate one part of Ireland at the cost of irritating the remainder? If we were to legislate in the spirit of the member for Dublin, will any impartial man suggest that we should be dealing even-handed justice to the different parties in Ireland? I am not prepared to sanction a proposition, which, at the same time that it will not confer any advantage on one class, will be considered as insulting the remainder. I never will consent to insult the Protestants of Ireland, unless from the pressure of some deep necessity. I am not prepared to offer this useless and unnecessary affront."

Dr. Lushington admitted, that he had expressed those sentiments in supporting the withdrawal of the 147th clause, and that nevertheless he had witnessed the resolution of the government to withdraw that clause with much regret; but he had so expressed himself, because he saw the danger of not being able to carry the bill successfully at that moment, and for the purpose of obtaining a useful postponement of a question, the issue of which was then at least doubtful. This explanation, however, did not meet the point. That point was, that Dr. Lushington, even if his object was mere postponement, had sought that object by maintaining, that to vote appropriation before it was ascertained whether there would truly be a surplus to which the principle of appropriation could practically be applied, would be to offer the protestants of Ireland "an useless and unnecessary af-

front,"—and the question put was, how this could be reconciled with supporting the present resolution? Dr. Lushington then again went over the ground which had already been so often traversed—the disturbances produced in Ireland by tithe disputes, and the inefficacy of all remedies that had been tried. He had never imagined that catholic emancipation would lead to the tranquillity and prosperity which some had anticipated. He had never supposed that, after 300 years of injustice, that single measure could eradicate the irritation of men's minds roused by the feeling of continued wrong, or put an end to all the consequences of past errors. Emancipation was only an ingredient in the medicine to be administered, although it was an ingredient, without which no cure could be effected. Neither would any mere commutation of tithe effect a cure: not commutation, but abolition of tithe, in some shape or other, was indispensable. Even the present motion would not complete the cure; for the deadly disease was more deeply seated. The cause of the existing evils in Ireland had been, the introduction of the protestant church into that country. It had been forced upon Ireland by the conquering people of England; those who refused to become apostates from their own faith being turned out to beggary and destitution. This had led to every possible form of oppression and degradation, and these again had produced deep-rooted feelings of enmity and discontent. The present resolution, though it would not accomplish every thing, would yet do much. It was one of those measures which were indispensable to the final termination of all

causes of dispute. Its rejection would be tantamount to a declaration of perpetual civil war against the religion professed by a large majority of the people of Ireland.

Mr. Littleton, the late Secretary for Ireland, admitted to the fullest extent the use and necessity of an established church. He considered it important to the interests of the community, that, as a means of resisting the baneful assaults of infidelity, there should be some one denomination of christian sects recognised and endowed as the religion of the state. He also thought it expedient that, whilst the clergy were not debarred from obtaining and exercising a legitimate influence with their congregations, they should be saved, by the assignment of a regular provision to them, from desperate and reckless endeavours to obtain illegitimate influence, from the many shameful compliances with popular feeling to which the most talented men were the most likely to be exposed, and the most likely to yield—from the necessity of appealing to the passions, rather than to the reasons, of their flocks, and of holding up to them attractive novelties, or eccentric originalities in lieu of generally received doctrines, to obtain a fleeting and temporary celebrity. But for these very reasons, there never was a clearer policy than that which prompted us to take care, seeing that 10-11ths of the population of Ireland dissented from the protestant church, that the establishment was made as little offensive as possible to the majority of the nation, and that if it had a surplus of revenue above its legitimate wants, that surplus should be applied to the moral education

and improvement of all classes of the community. He was no supporter of the principle of mere proportion, and he denied that this principle was involved in the appointment of the commission. That commission had been appointed to ascertain the number of persons belonging to each different sect in every parish in Ireland. For how was it possible, without ascertaining that number, to ascertain whether the living was or was not a sinecure in the hands of the incumbent? And without ascertaining that point, in each single parish, how was it possible to ascertain whether the whole establishment of the church did or not deserve to bear the name of a sinecure? It was not for him to declare what principle it was that the late government intended to establish; all that he should say was, that by that government the principle of proportion had never been avowed. As to the amount of the revenues of the Church, Mr. Littleton denied the accuracy of the calculations which made them not more than half a million, and insisted that they amounted to at least 800,000*l.*, not taking into account the deduction of 25 per cent. intended to be effected by the proposed tithe bill. As an instance of excess, he referred to the incomes of the bishops. After all the sees which were to be reduced under the Temporalities Act should have fallen in, the amount of the episcopal revenues would still be upwards of 80,000*l.*, which would yield to each bishop an income of nearly 7,000*l.* per annum. A commission had been issued for the purpose of inquiring into the state of the English church establishment, and that commission recommended that

where the income of a bishop was as much as 4,500*l.*, no increase should take place; and that where the income was not more than 5,500*l.*, no diminution should be made. Now, if that sum was thought a sufficient income for an English bishop, who had a palace in the country to maintain, who had to visit the different parishes in his diocese—to keep up an establishment in London during half the year, for the purpose of enabling him to attend to his duties in parliament—was it not obvious, that, according to the same principle, a very material diminution might be made in the income of the Irish bishops? He was unwilling to express any opinion as to what might be a sufficient income for an Irish bishop; but it was quite clear that the revenue of the prelates in Ireland might be subjected to considerable reduction. Then there were a number of church sinecures, such as deaneries for instance, which contributed nothing to the efficiency of the establishment. There would be no difficulty in showing that, without the slightest injustice to the Irish branch of the English church, a saving might be effected under that head of 20,000*l.* or 30,000*l.* Yet this was but a small amount compared with what might be saved from the suspension, not to say extinction, of the numerous benefices in Ireland, which had neither any protestant church or congregation, or in which the protestant congregation was so small, as to impart to the benefice very much of the character of a sinecure. And who would be bold enough to assert the monstrous principle, that it was not possible for the temporalities of the church to be greater than

necessary for the wishes of the people or the safety of the establishment? Who, in reference to the temporalities of the church of Spain—of the church of Portugal, would maintain that they were inalienable? But, compared with the spiritual wants of the members of those churches, were the temporalities more disproportionate, than the temporalities of the Irish church? What other country in Europe could be named, in which the temporalities of the church were given to a decided minority? In the Lutheran countries of Europe, a legal provision was made for the ministers of every other religion. Such was the case in Holland; there the government tolerated and paid the ministers of all faiths equally. In Catholic Belgium a splendid instance of liberality had recently been afforded. In the Belgic budget for this year, a vote was taken for the erection of synagogues for Jews. Moreover, a grant of 10,000 francs had been passed, for the purpose of establishing protestant chapels in that country, and paying ministers of the church of England. This had been done on the principle that the government were bound to see that the English who resided in Belgium, and contributed to the benefit of the state, had the opportunity of enjoying, by the aid of the state, the consolations of religion. In Saxony there were four religions (the reigning family professing the Roman catholic faith), all of which were equally provided for, and care was also taken to diffuse a liberal education among the people. In Prussia and in the Rhenish provinces the same liberality was observable. He begged also to direct the attention of the House to the state

of Scotland. In that country the dogged spirit of presbyterianism had enabled the people to withstand all the attempts of the Stuarts to establish episcopacy. Since then it had been the policy of every administration to conciliate the affections of that country, and in the present session the King's speech recommended the parliament to consider by what means the benefits of the Scotch church might be more extensively diffused among the poorer classes of the population. It was in consequence of the people of Scotland being attached to their established church, that their country presented a spectacle of peace and industry, constituting her a great source of moral and physical strength to the empire. Principles altogether different had been applied to Ireland, and all the world knew the consequence. The established church had been becoming more and more odious; the Roman Catholic clergy had gone on, always thriving best under persecution; while there had been implanted in the breasts of the ill-educated peasantry of Ireland a hatred to the English government and legislature much more intense than gentlemen opposite were inclined to believe. The question of appropriation was the true cause of all this. Two facts prove that it was so. An act had been passed in the reign of George IV., which relieved, under certain regulations, the poorer classes of Roman Catholics from the payment of tithe; yet from that time to the present the collection of tithe continued to be resisted. It might be said, that if a compulsory measure of tithe composition had passed, this resistance would have diminished;

but the fact was, that the fiercest disputes occurred in those parishes where the composition was effected. Again, the county cess in Ireland was far more onerous and unequal than tithe, and, like the tithe, it was levied from the poorer classes of the occupying tenantry; but a general resistance to that impost was never sanctioned by public opinion among the poorer classes of Ireland. The question, then, of appropriation was at the bottom of the opposition which was shown to the payment of tithe; and the statements which all persons connected with the Irish government had been compelled to make, year after year, regarding the state of the country, were just so many proofs and acknowledgments that to enforce the Reformation in Ireland was impracticable.

Mr. Littleton's successor, sir Henry Hardinge, after remarking that the alarm, which the resolution itself was calculated to excite, must be greatly increased by the spirit in which it had been supported by his predecessor, whose principles went, not merely to appropriation of a surplus, but to the entire destruction of the established church in Ireland, combated the statements of Mr. Littleton regarding the revenues of the Irish church. He spoke, he said, from documents furnished by the Board of Ecclesiastical Commissioners in Dublin, and which would have been presented to the House before this time, if the whole of the necessary calculations had been completed. From these it appeared that the revenue, four years ago, would not have amounted to quite 730,000*l*. Their value, however, must be taken, not as it might have been four years ago, but as it would be under the operation

of the Temporalities Act, and of a commutation act; for all the proposed measures of commutation had involved a reduction in the amount of tithe. Looking, then, at the reductions now in progress, and those which would be made, if any tithe bill should pass the legislature, he found that a diminution in church revenue had been effected by the provision in the Church Temporalities' Bill, suppressing the bishoprics of 59,000*l.* a-year. The future tax on the clergy amounted to 22,000*l.* Then there was the proposed percentage of 25 per cent., or one-fourth of the revenue, which equalled 136,000*l.*; the sinecures of various descriptions to be transferred to the ecclesiastical commissioners amounted to 22,000*l.*; and the loss by re-investment after redemption, which it was only fair to take into consideration, together with the expenses of law proceedings, collection, &c., could not be calculated at less than 10 per cent., and would amount to 54,500*l.* The whole of these items constituted a sum of 293,500*l.* He begged to assure the House that there was no inaccuracy in these details. Now, deducting the sum of 293,500*l.* from 727,000*l.*, the amount of the revenues of the Irish church four years ago, the sum remaining would be 434,500*l.*, which, he maintained, would be the whole annual amount of the revenue of the church of Ireland, when those acts to which he had alluded should have had their effect, giving credit for the sum of 63,000*l.* on account of glebe lands.

Sir Henry Hardinge likewise combatted the opinions of Dr. Lushington and Mr. Littleton,

that the existence of the Protestant church as a compulsory establishment, disliked by the great majority of the people, or the want of a different appropriation of its revenues, were the cause of the disturbances in Ireland. The same description of violence which existed now, had existed in the reign of Henry VIII. when there was only one religion in the island. No man could say that the disturbances between 1792, and 1798 had been produced by tithes, or religious differences. The disturbances of that period did not originate with the Roman Catholics, but with the Presbyterians in the north of Ireland, who were the first to commence an attempt at revolution. It was clear from the testimony even of Mr. Wolfe Tone and lord Edward Fitzgerald, that it was not the collection of tithes nor religious grievances—that it was an attempt to convert Ireland into a republic, and not religious differences, which were then the cause of the disturbances in that country. From 1799 to 1813 was a period of war; there were in that period no disturbances in Ireland. Rents were high, and produce bore a high price, and the people were comparatively happy. During the years 1823 and 1824, there were disturbances; and the evidence taken before the Lords showed the probable causes of them. And what were the causes assigned by almost all the witnesses?—not tithes—not religious differences—but the poverty of the population, the subletting of farms, and the want of employment. He would only read the answers given by judge Day on this point. “Have the actual disturbances in Ireland originated in religious differences, or in what other

causes?—The recent disturbances in Ireland have not had anything to do with religion. In what causes did they originate, in your opinion?—The poverty of the people, which exposes them to the seduction of every felonious or turbulent leader; the want of employment; the absence and non-residence of landlords, who might superintend, control, and advise." He went on—"Those outrages have been inflicted indifferently, and with perfect impartiality. It appeared to me, that the disturbances did not point at, or mix themselves with religion. They were excited by designing desperate fellows, who looked for insurrection and a scramble, and it cannot be very difficult to recruit persons from such a peasantry, to fall in with such leaders. It was property and plunder they wanted; religion was totally out of the case. I recollect perfectly a Catholic gentleman's habitation as violently assaulted, and himself as obnoxious an object to those insurgents as any Protestant could be." He had called for returns of the population, and of the number of outrages in the four southern and four northern counties. He found that in the four southern

or Catholic counties of Tipperary, Queen's County, Kilkenny and Limerick, the population was 990,000; the population of four northern Protestant counties, was 896,000; the number of outrages in the year 1832, in the four southern counties was 1795, and the number in the four northern counties was only 184. In the three years, in the four southern counties, the number of homicides was 219; in the four northern counties 36. The acts of firing at the person in the four southern counties were 177; in the four northern counties, 30. In proportion to population, in 1832, there had been nine outrages in the south to one in the north; in 1833, seven in the south to one in the north; and in 1834, two in the south to one in the north. He made these observations to prove that, according to his view of the subject, although the question of tithes had been agitated during the last three years, that did not seem to be an element of the disturbances; the greatest proportion of crime arose from other causes—the poverty of the people, and the want of employment.

CHAP. VIII.

Continuation of the Debate on the Motion to go into Committee, in order to appropriate the revenues of the Irish Church—Speeches of Mr. Spring Rice for, and of Lord Stanley against, the Resolution—Sir John Campbell—Mr. Fowell Buxton—Mr. O'Connell—Sir Robert Peel—Motion carried by a majority of thirty-three—Renewed Debate in the Committee on the Resolution to appropriate the Church Revenues—Resolution carried by a Majority of twenty-five—Debate on Lord John Russell's further Resolution, that any Measure introduced regarding Irish Tithes ought to be founded on the principle of Appropriation—Resolution carried by a Majority of twenty-seven—The Ministers resign—Speech of Sir Robert Peel announcing their resignation.

MR. SPRING RICE, who argued at great length in support of the resolution, seemed to found his reasoning on the numerical strength of the opposition, when he set out with stating that no tithe bill either could or would pass the House, till the question of appropriation was settled—thus declaring that, however just and politic might be the provisions of a tithe bill, and however great the relief which it might afford, he and his friends would not allow that relief to be afforded, nor these means of tranquillity to be adopted, unless they were accompanied by the enunciation of a principle, as to which it did not yet appear that it would ever be capable of being applied to any practical purpose. He complained, likewise, somewhat to the merriment of the House, of the inconvenience of having to argue the question without any report from the commissioners; and, in the absence

of such report, he proceeded on the authority of a private return, regarding thirty or forty parishes in his own neighbourhood in Ireland. In the first six of those parishes there were, he said, 5,330 Catholics, varying from 495 to 1,500 in each, and not a single Protestant. In another there were 851 Catholics, and 11 Protestants: in the next 1,371 Catholics, and 11 Protestants: in the third 1,444 Catholics, and 11 Protestants: in the next, 1,449 Catholics, and 21 Protestants: in the next, 3,450 Catholics, and 15 Protestants: in the next 367 Catholics, and 11 Protestants. Another parish contained 1,842 Catholics, and 27 Protestants. The next 4,393 Catholics, and 27 Protestants. In the next there were 5,335 Catholics, and 12 Protestants. Thus in several of these parishes there was no Protestant at all, while in the others the disproportion between the Catholics and Protestants

was so great as hardly to justify taking the Protestants into account. Was the maintenance of a great church establishment in those parishes in which there was no Protestant, either creditable to the bishop of the diocese or advantageous to the country? His opinion, was, that whether the number of Protestants in a parish was few or great—and he did not think that the House, or even those who were the strongest advocates of extreme opinions in that House, would differ from him—no Protestant ought to be deprived of the spiritual assistance of his church; but he saw most manifest absurdity in maintaining that in the parish of Kilhead, where there were but twelve Protestants, the payment of the Protestant clergyman should be fixed on a Roman Catholic population of 5,000. They must be mad, if they allowed the church establishment to be so disproportioned to the wants of the population. He admitted that the property of the church was trust property, and it must be allowed, as a necessary consequence of this proposition, that the House ought to enforce the due execution of the trust. But the property of the church of Ireland was subject to the trust of educating the people of that country; and they asked for no measure of spoliation or of robbery, when they asked that the surplus of the church property should be applied to the purposes of civil education. It was held subject to a trust for general education, not the education of Protestants exclusively, but of all classes of the Irish people. So early as the 28th of Henry VIII. and prior to the act for acknowledging the King's supremacy, and when in point of law Ireland was, what it was long after in point of fact, a Roman Catholic country, every incumbent was bound by an oath to keep a school within his parish, paying to the schoolmaster his accustomed stipend. Nor did this obligation rest merely on a declaratory enactment; for the first infraction of the oath was to be visited by a penalty, and for those times a very heavy penalty; the second, by an increased amount of penalty; and the third offence, by deprivation of the living. In this statute there was no provision marking the religion which should be taught in these schools; for the schoolmaster was directed to teach the people to count their beads in the English tongue. The clergy evaded the spirit, while they complied with the letter of the statute by paying to the school-master a salary of 40s. a-year. In the year 1786, the lord-lieutenant addressed the House of Commons, and Mr. Secretary Orde stated that it was his intention to move a resolution with a view to the extension of the means of education; and as a preliminary step, he moved for a return of the number of the parochial schools then established in compliance with the act 28 Henry VIII. It was evident from this proceeding that Mr. Orde looked on these schools as the proper medium for the education of the people. Nothing was however done that session, but the following year the subject was again brought forward. The lord-lieutenant in his address to the House of Commons expressed his hope that some liberal and general plan for the extension of education would be agreed to. Mr. Orde stated to the House,

that by the act of Henry VIII. the minister of the parish was bound to provide for the education of his parishioners, and he then proposed to fix a rate of contribution to be paid by the clergy, in the nature of a property-tax, and subject to what was so loudly exclaimed against — a graduated scale. This plan was not then taken up; but it was taken up afterwards by those who could not be suspected of enmity to the Irish church, the archbishop of Armagh, the bishop of Killala, the provost of Trinity College, and last, not least in orthodoxy, Mr. Leslie Foster. Their report declared it to be highly expedient that the contributions of the clergy should be made with more regularity, and to a greater extent than was then paid; and it recommended that a sum of $2\frac{1}{2}$ per cent. on the value of their respective livings should be paid to the bishops of each diocese, and be levied by a tax. Were gentlemen opposite resolved to be more orthodox than the heads of the Irish church? and if they were not, why raise such an outcry against the opposition, when they had only acted on the principle of the recommendation given by the report referred to—that there should be established an annual fund out of the revenues of the clergy for maintaining these schools? He referred likewise to the opinion of the Education commission, of which Mr. Frankland Lewis was the head, and Mr. Leslie Foster was a member, as showing that, according to the opinion of that commission, these schools ought not to be protestant schools, but schools for general education. Archbishop Magee, too, when examined some years ago before a committee, supported

the principle of general education, and that the contributions of the clergy should be increased. Within these few years the bishop, dean, and chapter of Durham had obtained an act of parliament enabling them to apply part of their property for the purpose “of establishing, in connexion with the cathedral, an university for the advancement of learning.” It might be said that, in this instance, the application was to be exclusively of a protestant kind. But if the appropriation was to be justifiable only so long as it was of a protestant character, the bishop of Durham would have been bound to have said, his university was to be exclusively for the protestant establishment. But so far from that, he said, “persons are to be admitted to public lectures on science or literature of whatever description, without being subject, as other students will be, to the discipline of the university. By this regulation many may avail themselves of very considerable advantages from the institution, subject to no previous inquiry or restriction as to their religious persuasion.” The bishop added, that, as to those who should obtain a degree, there might be a restriction put upon the degrees; but he and those who acted with him, founded that college for the purpose of affording instruction to all classes; and they did it upon such terms of liberality as would embrace within its scope persons of all religious denominations. In supporting, therefore, the resolution now proposed, they had at least, as companions in forwarding such a principle, persons of whom they were not ashamed, although entitled, in the estimation of some, to be branded with the epithets of

robbers, spoliators, enemies of the church. He was not contending for the application of property belonging to the Protestant church to foreign purposes; he was contending that it should be apportioned to the duties of the church. He was not removing the funds, and for ever, from that church. He would say frankly to the gentlemen who might be disposed to take the most extreme view of the case, that if Protestantism should extend itself in Ireland, he was willing to extend the application of the funds; but if circumstances led to the event of no Protestant being in a parish, then there could be no necessity for the application of funds to Protestant purposes in that parish. He would not sacrifice one jot of the interests of the Protestant church; he would give to it the means of affording all possible instruction; but he would not hold up to the world, and to Ireland, the scandal and the danger of continuing an establishment without population and a clergy without flock.

Lord Stanley said, that, with regard to the University established at Durham, there was a plain distinction between applying ecclesiastical property to secular purposes, and any inference that could be drawn from such an institution as a precedent. In the first place, the original endowment of the chapter of Durham was an endowment subject to secular purposes, and for Protestant instruction. It was very true that no test was required of the religious persuasions of those who were to be admitted for instruction in that University. He believed that the same rule applied in other Universities. But, admitting that no test was required from

students, to be present at a course of study and a course of lectures by Protestant teachers, and under Protestant professors in England, he would ask what analogy could be drawn from that to the appropriation of church property in Ireland upon the system which it was the intention of this resolution to introduce? Neither did he see what support that resolution could derive from the statute of Henry VIII., passed for the purpose of consolidating the rights of conquest by, among other things, extirpating the Irish language. If the question raised was this, was it expedient to enforce it on the Protestant clergy throughout Ireland as one of their paramount duties, as one of their duties calculated to bring under their control the rising population of that country—if that was the object, a more fit subject of discussion could not be brought under the consideration of Parliament, and no person would be found more ready to enter calmly, deliberately, nay, favourably, into the consideration of it than himself. Whatever might have been the general arguments which he had thought it his duty, as it certainly was his inclination, and as a member of society his interest, to address to the House against the principle of appropriating the revenues of the church to any other than strictly ecclesiastical and Protestant purposes, he would have had language of quite a different character to address to them as an Irish landlord. In his own proper person he was willing to submit to any scale of taxation that might be imposed for the purpose of affording instant and abundant instruction to all classes of his Majesty's subjects in Ireland, be they Protestant or be they Catholic. What-

ever might be requisite for the purpose of public instruction, without distinction of sect or creed, he was perfectly willing to contribute, in common with other landlords, out of his own pocket, but not out of the funds of the Protestant church of Ireland. He would put one test, as to the great and extreme anxiety which had been expressed in some quarters for the extension of popular education. He would suppose the tithe bill of last year carried, by which the landlord obtained the benefit of a deduction of twenty-five per cent. from the church, which was given to him as a premium. Now, he would ask those gentlemen who were so anxious for the spread of education, and whom he would suppose to be in the full enjoyment of that premium, were they prepared to contribute ten per cent., out of the proceeds of that twenty-five, to the purposes of popular education?

When the house was called on to adopt the present proposition as the only means of pacifying Ireland, it behoved them to remember what had been the result of the concessions already made; and to consider how far this additional concession was likely to produce unanimity and cordiality. Mr. Littleton had described the object against which the resolution was intended ultimately to act as a great and vital disease, preying upon all that was essential to the happiness or the existence of Ireland as a country. It was candid of him to acknowledge that the resolution in itself was nothing—that he cared little for the resolution, and that he looked to the great and vital disease, which, according to him, could only be removed by cutting out the affected

part. Was the house prepared to admit the principle involved in that argument, and expose themselves to all the successive assaults which they would have to sustain from the well-marshalled phalanx which he saw arrayed on the opposite benches? He congratulated the member for Dublin upon the position which he now occupied, as compared with that which he filled in the last year. Oh, how proud was the triumph enjoyed by one of the parties at the opposite side of the house, (for two different parties they were, though at present they sat on the same side of the house), how proud was the triumph of the one, and how bitter the submission for the other!

His Lordship proceeded to say, that, in the view which he took of the question, it was of little moment whether the amount of the annual revenue was 400,000*l.*, or 800,000*l.* He firmly believed, however, that on inquiry it would be found not to exceed 450,000*l.* The whole sum available for the parochial clergy would not, he was assured, if fairly divided amongst them, exceed an average of 200*l.* per annum to each, and he could not consider the allowing of such an income to be creating a bloated and over-endowed establishment. He presumed that no intelligent and unprejudiced man in the community, would attempt to say that the property of the church should not in the first instance at least, be applied to ecclesiastical purposes—he might then, he hoped, be allowed to say that an income of 200*l.* per annum was not an excessive allowance for the clergy of the established church. Under the Irish church temporalities' act, that sum had been fixed as the

amount to be exempted from the annual payment which was to go on for fifty years towards the liquidation of the debt. In that state of things, and with no prospect of a higher revenue to the members of the clerical body of Ireland, the House of Commons was gravely called upon to appropriate the amount that might be left, though, as had been fully ascertained, the parochial ministers would not have an income exceeding 200*l.* a-year. Really there would be too much of the ludicrous, if there was not so much of mischief and of danger, in those measures of sham legislation. When the debt was discharged—if any amongst them could hope to witness such an event, or could look forward to its probable effects,—something plausible might be said about the appropriation of the surplus, which, at the end of half a century, might or might not be found to exist.

They had been frequently told in the course of the debate, that if they only agreed to this resolution, the war would close,—there would be no more Rathcormacs,—peace and quietness would spread themselves through the land; that that abstract resolution of the House of Commons would, all at once, and at a single stroke, as it were, allay for ever the heartburnings and animosities, the civil broils and contention, which afflicted Ireland from one end to the other. Did not assertions of that nature exceed the credibility of any rational being? Confessedly, the adoption of the resolution would do nothing whatever in the way of alleviation. Its mover was resolved to pay the present incumbents the uttermost farthing.

What step then would the resolution take towards giving practical or substantial relief to any portion of the suffering Irish people; while in the measure contemplated by the government there was at least the prospect of direct and immediate relief? In the last session of Parliament, Mr. Littleton had proposed to cast the whole burden upon the landlords; with what an indignant exclamation was that met by Mr. O'Connell, who said "that the people of Ireland were determined to be satisfied; that oil must be poured upon the troubled waters,—political asperities must be softened down, and that excitement must be quieted and tranquillized—had any attempt of that nature been made? On the contrary, ministers had done nothing—absolutely nothing—towards the pacification of Ireland. Good God! talk of five years: in the history of a country they were as ages. Let him not be talked to of years, of months, or even days. Five years! they might as well talk of the millennium. They might as well say that in the year 2500 of the christian era something might be done for Ireland." That doctrine, if it went any length, destroyed the scheme of the five years, and yet the abstract proposition then before the House was expected to be efficacious, though its operation would be infinitely more remote. Notwithstanding the resolution, the same clergy would distract—the same people would suffer distress—blood and violence would be continued—the small proprietors and farmers, now banded in resistance to tithes, would continue in the same condition: in a word, did the resolution touch a

single atom of the pressing and substantial grievances?

Lord Stanley next adverted to the argument which had been drawn from the example of Scotland, and from the catholic religion being established in Canada, both of which instances merely proved, that the faith of treaties was to be preserved, while the present motion said, that it ought to be violated. Within certain districts limited by prescribed bounds, the Roman Catholic religion was established in Canada and it was recognized by us as being so established. We found this district of country catholic, when we took possession of it by right of conquest, and we entered into solemn treaties by virtue of which we were bound to recognize within the particular limits, the religion of the majority of the inhabitants as the religion of the state. There we could not introduce a protestant episcopal church consistently with the obligations of our treaty; but in all the rest of Canada, where we were free to act, had we not introduced the protestant religion, and made a fund in every district for the support of protestant ministers? As to Scotland, would that the ghost of John Knox could arise, and hear the catholic member for Tipperary quoting his authority for such an application of the possible surplus from the exigencies of a protestant church, as that learned member evidently contemplated. In Scotland, prelacy had been found uncongenial, not merely to the numerical majority of the population, but likewise to the majority of those possessing property in the country, and gifted with intelligence. Presbyterianism was the religion of their choice, and by the act of Union

they were established in the full right and exercise of it. But in Ireland, the religion of the state was by the solemn obligation of treaties to be protestant. They were not bound as they had been in the cases of Canada and of Scotland; the rank, the wealth, the property, the intelligence of the country was not Roman Catholic. They were bound by virtue of the faith of treaties, to maintain the Roman Catholic religion in Canada, the presbyterian in Scotland; but when they found that in Ireland every thing was directly different, were the same arguments, was a parallel process of reasoning to be applied? Instead of having there a church which was distinct from that of the state, they found a church which was declared to be one and indivisible with it.

Before they could judge of the measure proposed, there was one little consideration to be entertained. Was the proposition so very clear—so little ambiguous—that gentlemen who agreed in supporting it might not interpret it in different ways, and some mischievously? They had had laid before them a hypothetic case of a surplus—a surplus over what—how to be obtained?—how to be applied? He did not mean to say, that the motion actually went to do away with the protestant religion and its ministers, and to substitute the Roman Catholic clergy and their religion in its stead; but he held that a proposition for a substitution of this sort would be more consistent with the fair course of parliamentary and legislative proceeding, less dangerous and less destructive, than that they should agree to establish those nice religious propor-

tions which had been adverted to, and be compelled to determine upon the affirmative or the negative of protestant worship in a parish by the number of souls who might happen at the moment to avail themselves of the ministry. What was the surplus they had in view, and how did they propose to deal with it? Was it to arise, after they had to the full extent provided for the wants of the clergy? If so, he took no thought of it. It was a matter for the consideration of his grandson. It was a question for the year 1900; 1835 need take no cognizance of it. There was no positive necessity that they should now build a wall, and at the same time volunteer to knock their own heads against it. Taking it at the worst, it was an enterprise which should be left to their posterity.

But looking at this surplus in another light; if it was to be acquired by the suppression of certain benefices, the injury of others, and the weakening of the whole church establishment, he should not shrink from designating it as dangerous and ruinous. So far from a measure founded on such principles producing anything like the pacification of Ireland, it would lead to an increase of feuds and bloodshed, and would obstruct and most materially affect and distract the whole course of government for centuries to come. The gentlemen opposite were anxious to proportion the revenues of the clergy to duties which they had actually to perform. This was for Ireland. But let this be once granted, why should not the principle be extended to England? Why should not the whole church property be thrown into a common fund, and the re-

venues doled forth in proportion—a proportion which they should fix to the fluctuating exigencies of the establishment. Did they pretend to lay down any fixed rules? All he wanted of them was, that they should announce some fixed principle—that they should declare their limit. Let them have something precise and intelligible on which they could proceed. He protested against the argument which would tend to proscribe a church establishment, in a particular district, because only a few persons, estimating them numerically, were attached to it. See what inducements it would hold out to the multitudes of Roman Catholics to drive out from amongst them the few Protestants there residing, against whom they could exercise their power. On the other hand, see the temptation which would be held out to the conscientious Protestant landholder, who wished to have a congenial place of worship on his estate, to labour anxiously to establish around him a Protestant tenantry. The abstract principle, under which the gentlemen opposite shielded themselves, was too dangerous. The resolution was utterly worthless. Its only advantage was in its vagueness—that it might be understood by individuals in any way or to any degree that their consciences might permit, their wills direct, or their fancies intimate. Some looked to a correction of what they considered to be abuses in the distribution of church property; some panted for a positive confiscation. The House was called upon without waiting for information, (which he wanted not, but which many might perhaps want) — without knowing what his noble friend's

bill was, for he took it for granted his noble friend had a bill prepared, without any explication of the mystic phrases of a resolution, which apparently were only remarkable for their oracular ambiguity—an ambiguity which permitted men, with feelings the most adverse, to support the motion—men who could not, if their lot should happen to be cast together, unite in carrying on the affairs of government for one single week—without anything which could satisfy them as to the safety or expediency of the course to which they were invited,—the House was called on to affirm a proposition, and assent to a principle, which he considered to be fraught with the most deplorable elements of mischief.

Sir John Campbell, the late attorney-general, maintained that the doctrine of church property being inalienable was a remnant of paganism. It was the pagan doctrine that that which was once appropriated to religious purposes never should be diverted to any secular use. Clodius had tried to appropriate to the Palatine Temple the property of Cicero; and it was not till Cicero had delivered one of his most eloquent orations, that he was allowed to have church property alienated. The doctrine was afterwards adopted by the Catholics, who had very much encouraged the notion, that what had once belonged to the church could never be alienated from it. It went on to the time of the Reformation, and then the custom was still so much countenanced, that it was said no good title could be made to any property which had belonged to the church; and that property which had belonged to the church was

sometimes sold at an under price. But could it have been expected that the doctrine of pagan religion—that the doctrine of popery—that the doctrines which were exploded in the middle of the 16th century, should be revived in the 19th century, and should be made the subject of legislative enactment? He held an opinion, which he had formed after great deliberation, that the property of the church ought not to be touched, while it could be beneficially employed for the church; but it was the property of the state; the state conferred it, and the state might take it away, when it could be of no further use to the church. He knew of no distinction between functionaries in the church and other functionaries. Those who ministered at the altar ought to be supported by the altar—so said the Scriptures. A judge in a court of law was to be supported; a minister of state was to be supported; those who fought the battles of their country were to be supported; but he knew of no distinction between one functionary and another. All were to be supported by the state for their various purposes, and when those purposes were at an end, the power that conferred might take away. The salary of the chief justice of the Court of King's Bench had been reduced from 10,000*l.* a-year, to 8,000*l.* The chancellor of Ireland's had been 10,000*l.*, it was reduced to 8,000*l.* Was there any crime in robbing the law, or in reducing the incomes of the law functionaries? He knew of no distinction between the law and the church. It was thought, wisely or not, those incomes were excessive, and they were reduced, without any injustice to any part

of the community. If that were so, he wished to know why the House might not deal with the clergy as it dealt with any other public functionary in the land? Tithes were not the voluntary donation of the faithful; they were imposed by the legislature, and though they had now become property, to be held separately from the land, in their origin they were a property-tax. Then, with regard to the land with which the church was endowed, generally speaking, that likewise belonged to the King or the state; and whether the clergy were supported by landed possessions, or by pecuniary incomes, was quite immaterial; if by pecuniary income, and that was too much, it might be diminished; if by land, and that was too much, that might in part be taken away. Even if, instead of the church property having originally belonged to the state, and therefore subject to be taken away by the law, it had been the gift of an individual, the present proposition was altogether without exception. With regard to property in mortmain, the will of the donor was to be observed as long as it could be so beneficially; but when a change of circumstances arose, then, according to the principles of jurisprudence and justice, the will was no longer to be regarded, because it was to be presumed that, if he were alive, he would give the property in another way. In a court of equity, when property was given to a charity and found no longer to answer the original purpose, a reference was made to an officer of the court to approve of a scheme analogous to the original purpose, and which the donor, if alive, would have been likely to assent to. Then if

this property was conferred, of whom and to whom was it a gift? It was a gift to the Catholic religion; and he was sure, that if the original donors could now be called forth, they would not say that the property should be applied only and strictly for Protestant purposes, but that, if the Irish church could not be properly maintained, then the proper application of the surplus would be, the religious instruction of persons of all persuasions.

After Mr. Sergeant Wylde had enforced the same line of argument, and Mr. Richards, and Mr. Goulburn had spoken against the resolution, Mr. Fowell Buxton took a middle course. The proposition before the House, he said, raised three questions. In the first place, was there a surplus fund beyond the moderate necessities of the Irish church? If that question should be answered in the affirmative, then another inquiry, equally important, but which was frequently lost sight of, became necessary—namely, whether there was also a surplus fund beyond the necessities of the Irish church, should that church, as he expected, increase? In the third place, after having made provision for the church as it was, and as it might be hereafter, it would then be necessary to consider, should any excess still remain, how that excess should be applied. Now, with respect to the first question, he believed that a surplus did exist. He would not go into any calculations on the subject, because the assertion frequently repeated and never denied, that the endowments of the church of Ireland were greater in proportion than those of the church of England, was sufficient to convince him that a surplus did exist

There was room for reduction in the incomes of the bishops ; there was room for reduction in the sinecures. He would go farther, and reduce the income of every wealthy non-resident clergyman. The second question was, would there be a surplus, provided the church should increase in Ireland ? Now, how did the House know that the Irish church would always remain in its present condition ? He believed that it would increase. He had formed this opinion, because he conceived that, up to the present moment, the Roman catholic religion in Ireland, had enjoyed the very peculiar and incalculable advantage of being a persecuted religion. This he regarded as a great advantage ; because there was something outrageous to natural justice, and inconsistent with the principles of the religion we professed, in exposing a man to pains and penalties for his religious opinions, and there was not cruelty merely, but a refinement of cruelty, in the ancient practice of tempting a son to desert his religion by the bribe of his father's estate. That disastrous period had passed. The catholic religion in the south of Ireland was no longer persecuted ; it had rather achieved a triumph, and it was another class that was now persecuted there. The protestant religion had had its disadvantages ; it had been exposed to the fire of persecution, and out of that had arisen as pure and as apostolical a ministry as the world ever beheld. He believed that a more pure or devoted ministry the world had not had than the protestant ministry of Ireland. His hopes of the extension of the Reformation in Ireland depended on the loss by the catholics of what he consi-

VOL. LXXVII.

dered and called the bond and benefit of persecution — on the more increased spirituality of the church of England in Ireland, — on the growth of the mind — the diffusion of knowledge — the establishment of schools — perhaps on the result of that very night's debate ; but above all, on the circulation of the bible. In future, a fair trial would be had between catholics and protestants, on the ground of reason ; and he, for one, was prepared to put the merits of the religion he professed to that trial. He believed that the church in Ireland would increase ; and he should therefore, when the proper time arrived, propose a resolution, declaring that, should the increase which he expected take place, the House would then make provision for it. The third question was, supposing, after providing for the present and future condition of the church, a surplus revenue should still remain, how should that surplus be applied ? He understood the present government to object to the appropriation of church property to any other than ecclesiastical purposes, but not — supposing a surplus existed — to its application to the purposes of education through the medium of the church. Now he was afraid it was impossible to spread education in Ireland by means of a church. That church had presented itself to the population in such an odious form — so much injustice had been done it by connecting it with protestant ascendancy, that the catholic people, whose memory of injury and insult was ancient and deep, would not receive even truth from the hands of the protestant church. To say, then, that the people should be taught through the medium of

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the protestant church, was to say that they should not be taught at all. The next proposition for appropriating the surplus was the one now submitted to the House. He regretted that the noble mover had been induced to leave out from his resolution the words "moral and religious instruction," and to substitute in their place the words "general education." He thought that they were bound to show to the people of England, that if they alienated the church property from uses purely ecclesiastical, they yet confined it to those purposes for which all church establishments were instituted,—viz., the moral and religious instruction of the people. He trusted there would be no objection to the re-introduction of those words; and in that case the resolution would meet with his entire approval.

Lord Clements, an Irish member, agreed with sir Henry Hardinge, that there were many other essential causes of disturbance in Ireland besides religion; but, nevertheless, he held this measure to be a *sine qua non* for reconciling the religious differences of that country. One ground of complaint against the Irish church was, that the revenue was excessive in proportion to the duty performed, and that it ought to be effectually diminished; another was, that it did not afford adequate instruction to the majority of the people and the poorer classes of society. Many, who agreed in the first, objected that the Irish population were anxious to get rid of the protestant church altogether. He admitted that the catholics of Ireland were anxious to get rid of the protestant church. The protestant establishment had two objects in view—one was religious instruction, the other a partisan

and political object. The Irish Tories said, if "you destroy the protestant establishment, you destroy the bulwark of our estates;" and the English tories said, "you will destroy the bulwark which protects our church." The catholics had no sympathy with either; they claimed an equality; and he, if he were a catholic, would never consent to any thing but equality. There were two courses: one was to reduce the protestant establishment to what was sufficient for the instruction of protestant congregations, and to make provision for catholics likewise; the other course was to destroy the protestant establishment. One of these two courses must be adopted, for the catholics had power in Ireland and sympathy in England. If they had not equality, they would destroy the protestant church altogether; and if they destroyed the church in Ireland, they went far to injure the church in England. The great object, therefore, of the legislature ought to be, to diminish the provision of the established to the amount required for the performance of its legitimate functions, and to pay the roman catholic clergy.

Mr. O'Connell, after the usual prelude—that England had misgoverned Ireland for 700 years as never country had been misgoverned—that to no country in the world had God given such inexhaustible fertility, and yet none had come to be sunk in greater poverty and wretchedness—said, he would avoid any discussion upon tithes. He would content himself with laying down the broad principle, that the emoluments of a church ought not to be raised from a people who did not belong to it, Ireland did not ask for a Catholic

establishment; on the part of Ireland he repudiated such an idea. The Irish desired political equality in every respect, except that they would not accept a shilling for their church. Their church was unpolluted by the mammon of unrighteousness; the voluntary principle had answered every purpose of the catholics, and they desired no connection with the state in matters of religion. Nay, he would concur in the idea of Mr. Fowell Buxton, that if the number of Protestants increased, the revenues of the church should be increased likewise; but on the other hand, as protestantism decreased, the revenues, too, must be diminished. It was said, that the number of Protestants was on the increase in Ireland. He would take the county of Kerry, and he found that in 1831 the population returns showed that the Protestant population was about 1-12th of the whole. At present, he could assure the House that the proportion was now but one Protestant out of fifty-three. There was the parish of Kilkeedy, of which the incumbent was Mr. Manners, containing 4,011 Catholics, while the Protestants were only three, and the income of the clergyman was 1,500*l.* a-year. He had this on the authority of the rev. Mr. Young, the parish priest, who enumerated them every one, and who wrote to him to say that a better gentleman than Mr. Manners never existed, and that though he had not received a farthing for the last two years, under the composition for tithe, still he had contributed with a liberal hand to the charities in the parish, and towards the support of a free school. Such a man must be beloved, but the system was un-

popular, and he had not got a single shilling. How would the protestants of England endure the payment to a Catholic establishment of tithes and oblations and offerings? Did they imagine it would now be undergoing discussion in Parliament? It would have been long ago settled in another place. It was no question that they would act so; they had already shown their determination: when a monarch attempted to violate liberty of conscience in England, they rose in arms, and he became a fugitive and an outcast, and his dynasty was repudiated and proscribed. But they were afraid of establishing catholic ascendancy. The catholics had been in power three times since the Reformation, and they never persecuted the protestants. In the reign of the catholic queen Mary what did they do?—did they persecute? Harris, in his *History of Ireland*, a writer certainly not favourable to the catholics, had borne a reluctant testimony to the conduct of the Irish catholics, fresh as they were from persecution. When the protestants were cruelly persecuted at Bristol, the corporation of Dublin—oh! how unlike the present—actually opened 70 houses for the accommodation of the protestant families flying from Bristol, secured them from the queen, and kept them free of expense for a year and a-half. He was told that he was disposed to repeal the legislative union; and how did they reconcile him to it?—by showing that they were unwilling to do justice to Ireland. What would Irish members be obliged to do in the exercise of their duty, when they were forced to say,—“We have appealed to parliament,

and we have appealed in vain?" His opinion was well known. But he was ready to give it up. The Union never had fair play. He was told the House was disposed to do justice to Ireland. Let them not tell him so, but show it. Let them beware how, disappointing the just expectations of the people of Ireland, they instigated them to appeal to the wild justice of revenge. There never was a time so favourable for propitiating Ireland as the present. The Protestants should not be the slaves of the Catholics, but they should not be their masters. All that the Catholics required was justice—equal and even-handed justice. What they wanted to know was, whether there was a prospect of happier days—whether a new era had sprung up, and whether a dawn of comfort and prosperity had beamed for Ireland. This resolution would be an earnest and a pledge of better times; its rejection would be a proclamation to Ireland that the legislature despised, in regard to it, all principles of justice.

The debate was closed, (with the exception of lord John Russell's reply,) on the 2nd. of April, by sir Robert Peel. Four courses, he said, suggested themselves to his mind, as being open for the House to pursue. You may adhere to the existing law, and determine to maintain the established church in Ireland in the possession of its property. That is one course. You may assert that the property of the church in Ireland is excessive, and practically settle the question by determining the amount of the excess; you may discourage all false expectations, by saying that the amount which you have determined to take from the

church is so much, and that all the rest shall remain in its undisturbed possession. That is the second course. The third course you may take, is to say—We have no preference for one religion over another—we will destroy the predominance of any one favoured religion, either by withholding establishments from all, or by granting them to all. That is the third course. What is the fourth? The course which the noble Member for Devonshire proposes to take,—to add to religious dissensions a pecuniary interest—to leave nothing settled—to establish nothing with respect to the surplus—to lay down no principle by which the application of the surplus can be determined, but to content yourselves (and this you call a permanent settlement of the question!) with asserting an unprofitable right to apply an imaginary surplus to an unexplained purpose. I do not know what more could be devised for adding to the confusion which prevails in Ireland. You may by argument support the third course to which I have adverted, and which tends to the destruction of the protestant establishment in Ireland; but you may shrink from acting on your own principle, and, forgetting your own arguments, you invite us to take up a position which all those arguments prove to be untenable. You will tell the people of Ireland, not only that you will not determine the amount of the excess of the revenues of the protestant establishment in Ireland, but that you cannot indicate by what test it shall be decided. You leave it dependent on the will of any government—you leave it dependent on the discretion or judgment of any man; all you

say is, that if there be a surplus, then you will apply it to certain definite objects. If protestantism increases, it is now said that addition is to be made to the Protestant establishment—that is to say, you tell the Roman catholics “you have now an opportunity of revenging yourselves for your past wrongs by preventing the increase of that sect by whose increase your interest in these funds will be diminished.” Surely, Ireland is convulsed enough already—

“There hot and cold, and moist and dry, Contend alike for mastery.”

But you (turning towards lord John Russell) would throw chaos in. You who professed yourself unable to determine this question until you got further information—you who wanted to ascertain the bearings of the church establishment in Ireland upon the religious and moral welfare of the country—would not wait till you got the report of your own commissioners—until you could arrange your plan, until you could conduct the people of Ireland to the peaceable settlement of the question, but thought it right to check the progress of the measures introduced by government, in order that you might affirm what you call your abstract principle, but which is essentially fraught with consequences that would be felt in the remotest parish in Ireland. Why do you not propose to follow out your principle by practical measures, which you might now move as an amendment to the tithe bill? No; rather than do that, you chose to submit to all the misconstructions to which the assertion of this vague and indefinite principle is liable. I, for one, am prepared to adopt the first of the four courses to which I have alluded. I am

prepared to assert the rights of the church under the existing law.

If the House, he said, was clearly and decidedly of opinion that the public interest required the abandonment of a national compact, the violation of a long prescription, and the abrogation of the laws affecting property, he was not disposed to deny the abstract absolute right of the legislature to do all these things; but he maintained that, before doing so, it must be convinced by arguments approaching to demonstration of the absolute necessity of the case. He then referred to three measures as having expressly or necessarily confirmed the property of the church. The act of union differed from an ordinary law in this, that it was a national compact, and contained the conditions on which alone the protestant parliament of Ireland resigned itself and its church to us, inserting as part of the compact, of equal force with the compact itself, that “the continuance and preservation of the established church in Ireland shall be deemed and taken to be an essential and fundamental part of the union.” The emancipation act in 1829; likewise partook of the nature of a compact. If it was irrevocable as regarded the privileges which it conferred on the catholics, it was equally irrevocable, unless some great and urgent necessity should arise to compel a change, with respect to the assurances which it gave to protestants. They were led to believe that no privilege which the act conferred would be exercised to disturb or weaken the protestant religion or government; that the removal of the civil disabilities would give new security to the church of Ireland, and redress the injustice of which the member

for Dublin had just been complaining; but they little thought that, within five years from the passing of that act, the power which it conferred would be exercised to subvert the church establishment, as far as regarded the property of the church. Two years ago, they had passed the Temporalities' act, by which ten bishoprics were abolished, and measures were adopted, in his opinion wisely, to cut off a certain number of superfluous livings, and apply their revenues to the improvement of small livings. Some of those who introduced that act, contended, that, according to one of its clauses, part of the fund obtained by the suppression of superfluous livings might be applied to secular purposes, but the subsequent abandonment of that clause, and the whole tenor of the act, clearly showed that the principle of reserving ecclesiastical property for strictly ecclesiastical purposes was rigidly adhered to. Two years only had elapsed since the date of that act, and now, notwithstanding the act of Union—notwithstanding the removal of the civil disabilities of the catholics—notwithstanding the reform of the Irish church, and the extinction of ten bishoprics, they were told that this resolution must be adopted, as the indication of a new system, and as assurance of the commencement of a new era. Nothing could be more absurd than to assert, that to redress some specific grievances with respect to the distribution of ecclesiastical property, implied the principle of applying that property to secular purposes. What has been clearly the course of the law with respect to this subject? On what principle did the first fruits and the curates act proceed? Evi-

dently upon this, that it is for the benefit of the church to redress individual abuses; but it was absurd from that to attempt to establish the principle of the application of the ecclesiastical property to secular purposes. He contended that nothing but the strongest conviction of absolute necessity could justify them, in defiance of the act of Union—in defiance of the catholic relief bill—and in defiance of the church temporalities act and of the understanding which prevailed in parliament at the time it was passed, in appropriating ecclesiastical property to other than ecclesiastical purposes. And in what circumstances, continued the chancellor of the exchequer, is this appropriation proposed? The mover of this resolution says, that the whole annual revenue of the Irish church is 791,000*l*. I assert, as positively on the other side, that so far from the church of Ireland having a clear revenue of 791,000*l*., it has not 450,000*l*. There is, you see, a great difference between us. Now, I ask the House of Commons whether it is just or wise to come to a decision with respect to the disposition of a surplus, when so great a difference of opinion prevails as to the sum itself? Is it fair to create a prejudice against the church by the assumption of unfounded data? We are told that the perpetuity purchase fund is worth 3,000,000*l*.; I say that it has not realized 60,000*l*., and from the information which I have received, I believe it will never realize the half of 3,000,000*l*. We are told that the annual revenue of the church is 791,000*l*.; I tell you that it is not more than 450,000*l*.: and then I ask you whether you will this night adopt a resolution pledging

you to an appropriation of a surplus which has no existence, except in the imagination of the noble lord? He assumes that the revenue of the church is 791,000*l.*, and proposes to appropriate a surplus (which he supposes) to the purposes of education. I ask him what estimate he demands for those purposes? Does any man believe that 100,000*l.* will be required for the purpose of education? However, to prevent any cavilling, I will give him 200,000*l.* He would still leave the church of Ireland, according to his own showing, in possession of 591,000*l.*, and this he must admit is not too large a revenue for the establishment. Now I assert that the revenue of the church is not more than 450,000*l.*; and therefore, after deducting his imaginary surplus, he would leave it in possession of a greater revenue than it actually has at the present moment. If his data be correct—then, as he proposes to limit the appropriation to purposes of education, after allowing 200,000*l.*—an enormous sum—for those purposes, he would leave the church in possession of 591,000*l.*; whilst I assert that, by merely leaving the church alone, and not interfering at all in the matter, it will be in possession of only 450,000*l.* Under these circumstances, how can the House of Commons undertake to legislate with respect to appropriation? I do not ask you to decide the question of appropriation now; but I do call upon you not to allow the noble lord to go into a committee for the purpose of involving us in endless error. The matter is too important to be thus trifled with. You have a right to insist upon the noble lord's producing a practical plan—that is the only way

to prevent the exciting of extravagant hopes and subsequent disappointment. The noble lord's proposition will not give satisfaction to any party—not to the people of this country, not to the protestants of Ireland, not to the Roman Catholics.

Sir Robert Peel next adverted to the argument that the Irish church had failed in effecting the ends for which it was established—that there were not more than 1,000,000 of protestants, while there were at least 7,000,000 of catholics, that protestantism was not on the increase—and that therefore they might justly curtail the supposed excessive revenues of an institution which had not succeeded in accomplishing its objects. He maintained that hitherto causes had been in operation to impede the growth of protestantism which had now ceased to exist, and they could not justifiably argue that what might be a surplus, if the part were to continue, would be equally unnecessary for the actual spiritual wants of the Irish people when the part was not to endure. One of the most forcible arguments against the civil disabilities of the Catholics had been, that they interposed an impediment of pride between the catholics and the protestant religion, because there appeared to be a pecuniary interest in conforming to the latter, of which it shocked all the feelings of the Roman Catholics to incur the odium. That impediment had been removed. Again, abuses in the church, and inequalities in the distribution of its revenues were said to have been obstacles. These had ceased, or if any still remained, they would and should cease to exist. Superfluous wealth was another of the causes

alleged to have obstructed the growth of protestantism. The temporalities act had gone far to remove it, and there was no reason why further measures, if necessary and prudent, should not be adopted on the same subject. But if all the causes, which were said to have prevented, in some respects, the spread of protestantism, had been removed, what right had they to legislate on the assumption of a supposed surplus? "You are not now going to determine whether it be expedient to found a new establishment in Ireland—you are not about to determine how you will divide among that establishment the sum of 450,000*l.*; the question is, what will you do with the churches that now exist? You have already 1,100 churches for protestant worship. Is it part of the present plan to abandon them? You have 1,100 glebe-houses: under the temporalities bill you have made provisions for the increase of small livings and the building of churches. What do you mean to do with the existing state of things? You say your intention is to encourage the protestant landlord to come and reside on his estate, and the very first spectacle you place before his eyes is the dilapidation and ruin of that church which should afford a sanctuary for himself and family." He then quoted the following passage from the last report of the commissioners under the church temporalities acts, all of whom had been named by the late government, and one of whom was the archbishop of Dublin. "In connexion with the subject of churches, the commissioners cannot but express the satisfaction they feel in having to report to your excellency that many applications have been

made to them for aid towards the erection of additional churches, it appearing that the accommodation at present subsisting in those districts or parishes, from which applications have been received, is quite insufficient for the congregations of the established church. And while the commissioners have to mention that in many cases, parishes have expressed their willingness to contribute or cause to be contributed certain proportions of the expenses required for building, &c., in some cases amounting to one-fifth, in some to one-half, and in others to three-fourths of the sum required for the purpose, we cannot but regret to say, that our superfluous funds, which are only applicable to the objects under consideration, could hold out no prospect of the applications in question being favourably entertained." To those members, therefore, who were willing to reserve some part of the supposed surplus for the future necessities of the protestant church, he would say that this necessity already presented itself, requiring the appropriation of the whole of the existing revenues to ecclesiastical purposes. Looking to the education that must be had, and the acquirements that must be made—looking to the life which a clergyman must lead, the dangers to which he and his family might perhaps be exposed, the absence in many parts of Ireland of all society which could be gratifying to the feelings and habits of an educated and intellectual man—what sum would they think it fair and sufficient to allot for the maintenance in such circumstances of a clergyman and his family? If the sum did not exceed 300*l.* a-year for the whole, were they claiming too

much,—if in the present state of things they demanded the application of the church revenues, which, taken altogether, will not be able to yield so much, to strictly ecclesiastical purposes?

Sir Robert next noticed the argument of Mr. Spring Rice, that, by the original endowment of the Irish church, there was always a pecuniary charge on account of religious education, and that therefore no injury could result to that church from the appropriation of some part of its revenues to educational purposes. He denied entirely the validity and application of that argument. In 1828, Mr. Spring Rice himself made a report on education. It reviewed the whole subject—it embraced some twenty-three resolutions, it contained a specific reference to the act of Henry VIII—but did not contain one word with respect to education being a pecuniary charge on the church of Ireland. On the contrary, here was the resolution—“that it is the opinion of this committee that parliamentary aid for the establishment and support of schools in Ireland should be for the future restricted, in granting aid to parishes, to two-thirds of the sum required;” and then there were details of the manner in which the local assessment and contribution should be raised, the principal object being to invite local contributions and assistance towards the erection and superintendence of schools. The object of the act of Henry VIII. was, with regard to education, to recognize and confirm the principle of an established church; and the inference drawn from it, as giving any right to appropriate the surplus, was directly at variance with

the fact. The object of that act was to confirm the progress of the protestant religion, by subjecting the schools to the superintendence of the protestant clergyman. It expressly recited, that a knowledge of divine truths was essential to education; it passed after the annihilation, by law at least, of the power of the Pope in Ireland, and required an oath to be administered to every clergyman to teach, or cause to be taught, a school, thereby recognizing and ratifying in the strongest manner the principle of an establishment, by placing education under the charge of the established clergy. The intention of the statute Henry VIII., was not pecuniary contribution, but superintendence. It indeed required a yearly payment to be contributed by the clergyman towards the school; even that was only in the case he did not himself keep it; but was there the slightest analogy between compelling the clergy to observe the obligations of that statute, and the principle now laid down—of seizing on some part of the revenue of the church, in order to apply it to the purposes of education? Mr. Rice had supported his argument on the statute by referring to the report of a commission, which had contained Mr. Frankland Lewis, Mr. Leslie Foster, and the archbishop of Armagh. But one part of that report seemed to have very unfortunately escaped his notice. These commissioners, in speaking of the statute of Henry, expressly said; “It is obvious to us that the intention of the statute of Henry VIII. was not pecuniary contribution, but superintendence; and that it did impose the latter duty. This act, after reciting, among

other things, 'the importance of a good instruction in the most blessed laws of Almighty God,' and further reciting his majesty's disposition and zeal, that 'a certain direction and order be had, that all we, his subjects, should the better know God, and do that thing that might in time be, and redound to our wealth, quiet, and commodity,' proceeds, after a variety of enactments tending to the suppression of the Irish and the introduction of the English language and customs, to require an oath to be administered to every clergyman at ordination, and another at institution, that, amongst other things, 'he should keep, or cause to be kept, within the place, territory, or parish, where he shall have pre-eminence, rule, benefice, or promotion, a school for to learn English, if any children of his parish come to him to learn the same, taking for the keeping of the same school such convenient stipend or salary as in the said land is accustomed to be given.'" What, then, became of the argument that the act of Henry VIII., and the whole tenour of the statutes, authorized the application of the ecclesiastical revenues in Ireland to general instruction unconnected with that church? Even if there were a surplus, surely the question whether education should or should not be gratuitous was one of sufficient doubt and difficulty to deserve to be well considered; yet this resolution at once called upon them to apply any surplus to one object—the gratuitous education of all classes of his majesty's subjects. What was that sum? They could form no sort of estimate on that subject whatever. They did not know the amount of the surplus, or the extent of the

demands on it. He charged them with the absurdity of coming to such a resolution without the shadow of a ground on which to form anything like a rational determination. He did not ask them to abandon anything like a principle, but to take time carefully to mature their opinion, and thereby prevent unreasonable expectations from being entertained; and even if they would sanction that principle to which he could not consent—the application of those revenues to other than ecclesiastical purposes—let it be sanctioned with due deliberation, and not by defeating their own object, in order to press a motion which they thought might be inconvenient to government.

The best proof that the resolution pointed at no determinate or practical course was to be found, he said, in its own vagueness, and the consequent diversity of principle among those whom it had been framed to enfold; some professing, at least, that they must proceed on the principle of still maintaining the church—others, on the principle that the church was an atrocity, because it was the church of the minority—others, that it was a nuisance, because all establishments were bad—others, that the catholic clergy should be maintained by the state as well as the protestant. Yet you call this a final settlement of the question. You impose this charge upon the landlord. Ay, but the amount is to be recovered from a catholic peasantry! Do not suppose that, in declaring this, you can deceive the people. They are more clear-sighted than, perhaps, you imagine. They feel, and know that your arguments do not correspond with your resolution. A stronger, a truer, an

honest declaration would be better. This resolution may have the advantage of enabling you to act together for this night ; but you act on different principles, and with different views, to the furtherance of which you severally look by the issuing of this proclamation. You are all well aware that this is no final settlement—that it is only an instalment of that whole amount which is held in contemplation—that it is only an indication of the course you intend to pursue. You tell me that my course is taken and decided, and that it is in the rear of improvement. Yes ; but let me tell you there is one course more fatal, and that is being in the rear of men's own arguments ; and that course you are pursuing. There may be excuses for a public man to be in the rear of improvement, as you are pleased to style it. I at least think so, for I am not one who can assent to the doctrine that it behoves a minister to be ever on the watch, anxiously contemplating the ebb and flow of popular opinion and popular applause—to be continually looking out for the indications and signs of that public opinion, and so be provided against its declaration. I say that any man, who takes this course, will unsettle the minds of the people, and will cause and encourage a prurient demand for innovation. Fancy, then, if you will, that I am always destined to be in the rear of improvement. This fancy and feeling on your part is quite intelligible ; but for you to take up a position, which you know in your hearts is untenable, this is a circumstance which I cannot quite so easily understand. Because you know that you yourselves have taken a position which is untenable,

you wish me to take it in common with you. But I will not consent to appropriate this property, which is ecclesiastical, and connected with the protestant establishment, to other purposes than those of that establishment. I will not assent to your resolution for the sake of Ireland, because I know how worthless and delusive it is ;—because I know that it is a measure which sends into Ireland, not peace, but a sword. It will excite in that unhappy and susceptible country false hopes—hopes which you cannot realize, and yet hopes that you will shrink from disappointing. I tell you beforehand, I will not act upon your resolution. I shall oppose the motion for going into committee ; in committee I shall oppose the resolution ; and lastly, I shall oppose with all my strength the communication of that resolution to his majesty. I will do so on these grounds : the course is novel and unprecedented—it is unnecessary for the purposes it professes. It wears all the appearance of a purpose to pass by the House of Lords. If you think that course the most advisable, take it openly—take it honestly. Let us fight the battle manfully on honest, distinct, and avowed grounds. But let us not first have a shallow delusive resolution, and then an indication of your course, in which you are appearing to pass by the House of Lords, although, in point of fact, you are not. Why have not the movers of this resolution brought in a bill ? Are they uncertain of their plan ? Are they ashamed of presenting, in the ordinary course, the result of their calm, solemn, and mature deliberation ? Do they shrink from producing that detailed plan which they have so deeply and anxiously

considered? Or if not, I ask you whether you think this a worthy course? Do you consider it right to ask for a resolution of this nature under the unfair and dishonest pretence of making a communication to the Crown? And wherefore? The king indeed will resign certain rights by this bill, and it is necessary for him to signify formally, some time in the course of the proceeding with the measure, his assent, which at all times was wont to be done by the minister in a modest manner—without any parade, and without the excitement of the least commotion. But now the noble lord, without assigning any reason for a line of conduct so unprecedented and so inconvenient, insists on an immediate communication to his majesty, and this, not for the purpose of avoiding the necessity of further measures—of superseding a bill, but simply, that a formal intimation of the king's pleasure respecting certain of his rights affected by this motion may be received with all possible publicity. Is it fair, then, to bring forward this resolution without declaring your plan? to present your hasty resolution to the House, and demand that we should assent to an abstract proposition, as you delight to style it, on which you are not yourselves prepared to legislate? Will it not be time enough to consider this proposition, when it comes before us in a mature shape—when its mover shall have acquired the information which he desires—when he shall have had the report of his commission? You have yet the power, consistently with the full enjoyment and exercise of your principles, to refuse to enter into this discussion. If you agree with me in a desire to defer this important

question, you sacrifice nothing—you only decline asserting a general principle, without having the particular plan laid before you with which it is proposed to follow it forth. If you think it right that a bill should be brought in on this subject, you yourselves may move such resolutions as you shall think fit. I will give every facility; I will, without opposition, let you bring in a bill, let it be read a first time, and postpone the discussion until after Easter. Let us not, then, enter into any hasty decision which may preclude us from the possibility of entering into a satisfactory final settlement, which we think may be accomplished. You may succeed in forcing your resolution upon us; but I shall not have to wish you joy of your triumph. It may, probably, enable you to embarrass the future progress of the administration; it may be an indication that your principle will ultimately triumph; still do not be too confident. You may boast that you exercise the supreme power and control over the executive government of the country; but let me whisper in your ear, that though triumphant here—although enabled to drive the engine of state after whatsoever fashion you may please—the power that you exercise does not extend without these walls with that intensity with which it operates within. I tell you, that, notwithstanding your vaunted majorities here, you do not control public opinion. We may be weak here, but this I tell you—and I do so most respectfully, but also most firmly, and with a most perfect conviction of the truth—that there is a public opinion altogether independent of majorities, and which is not to be

controlled by votes, but which is essential to the peace and the prosperity of the country, which must be always hereafter an essential element in every executive government. I never was more confident of any thing, than that the people will not sanction a motion to embarrass the government. You may have their silence, but you will not have their approbation. The people of England will not sanction attempts to throw unusual obstacles in the way of the executive government. They would sanction you in attempting a vote of want of confidence; that would be an usual course of proceeding. Why have you not the manliness to pursue it? Why do you, instead of it, ask me to undertake this question? Why do you not say at once that you want to turn out the government by the introduction of this measure? If you are confident in your strength, your way is free before you. Strong in the confidence of the House, strong in the confidence of the people, you can have no difficulty in deciding this question. Why then do you throw it upon me? Why do you not take the responsibility on yourselves? Why do you not displace us, and then carry on the measure triumphantly? I feel that I cannot undertake to enforce your resolution. I give you notice of the course that I mean to pursue. I shall adhere to the principles of my own measure. I feel that such is the necessity for the settlement of the tithe question, that it will admit of no further delay. I shall press it forward; and if you signify an intention of continuous opposition—if your determination to throw unusual impediments in the way of the government be plainly indicated, and if I find I shall not be able to proceed with the settle-

ment of this question—if you determine on obstructing it in principle and detail, I shall then see that the time has arrived when it will not be possible for me, consistently with my sense of duty, to remain in the situation which I have at present the honour to hold.

Lord John Russell having shortly replied, the House divided, when the motion was carried by a majority of 33, in a House of 611 members, the votes in favour of it being 322, and against it, 289. Taking into account the representation only of England, there was a majority of nine against the motion, viz. 235 against it, and only 226 for it. The Scotch members divided 32 in favour of the motion, and 17 against it, leaving to the opposition, on the representation of Great Britain a majority of only six, viz. 258 to 252. The Irish members decided the day, 64 of them having voted in favour of the resolution, and 37 against it.

The next step was, to consider the resolution in committee. The division having taken place about three o'clock on the morning of Friday the 3d of April, sir Robert Peel proposed it as reasonable and convenient that the committee should not be taken till the following Monday, because, from what he had stated, another debate might be expected, and Saturday, at any rate, was to intervene. The opposition, however, would not consent to a single day's intermission, even after a four nights' debate, and exposed themselves to the imputation of hurrying matters to extremes, before the attention of the country could be roused by the discussion which had taken place, or called to the consequences which the vote might produce on the fate of a ministry which had been growing in its confidence and esteem.

They insisted on their motion that the committee should be taken that very day. On the 3d, therefore, the debate was renewed on the resolution itself, and continued by adjournment on the 6th.

After the very full account of the principal debate which has already been given, it would but fatigue the reader to record the varied forms in which the same views and similar statements were reproduced from both sides of the House. The debate furnished a strong proof of the absence of any settled plan in the movers of the resolution for the practical working of their principle. A member, who had voted in the majority, wished lord John Russell to insert in the resolution words which would declare that the surplus fund should be appropriated to no secular purpose whatever, except the purpose of education. He had voted, he said, in the full persuasion that his lordship did not intend to appropriate church property to any other purpose than that of the moral and religious education of the people; but the speeches he had heard led him to apprehend that some members did not feel disposed to limit the appropriation in that way. His constituents felt some alarm on the subject, and he believed that feeling had extended to other constituencies.—Lord J. Russell declined to comply with the suggestion. He said, that as the resolution was a general one, it was unnecessary to burden it with matters of detail, which would more properly be the subject of a bill. The adoption of the suggestion likewise might give rise to a question whether the general education of the people was a secular purpose. Any change was the less necessary, as, in compliance with the wishes of Mr. Buxton, he had substituted “moral and reli-

gious instruction” for “general education.”

On the division in the committee (April 6,) only 499 members voted, of whom there were 262 in favour of the resolution, and 237 against it, leaving a majority of 25, being precisely the same numbers proportionally as on the previous occasion.

The opposition, in the mean time, had partly changed their intended plan of operations. They had announced that the carrying of the resolution, which had now been voted, would be followed up by an address to the Crown, which they had represented as a necessary preliminary to the introduction of a bill. Lord John Russell now gave notice that he would interpose another step between the House and the Throne, by asking the former to pledge itself to this further resolution. “That it is the opinion of this House that no measure upon the subject of tithes in Ireland can lead to a satisfactory and final adjustment, which does not embody the principle contained in the foregoing resolution.” If the ministry did not accede to it, or if government would not act under the decision of the House upon the resolution, then he should feel it to be his duty on the succeeding day to move an address to the Crown; but he would not do that, till after he had moved this resolution, and seen what the effect of it might be.

The report of the resolution being brought up, sir Robert Peel allowed it to be received without a division, because he could not see any rational ground for supposing that the difference between being in committee or out of it would induce the House to take a different view of the subject. But the opposition was not to infer from this that there was the slightest change

in the minds of the ministry. He would certainly divide the House on the new resolution. Before that new resolution was put, Mr. G. Sinclair inquired of lord John Russell, whether it was his intention that the resolution already voted should be communicated to the House of Lords? The House of Lords was a branch of the Legislature, and nothing could be done without its concurrence. Nothing that had yet been done by the House of Commons, having a tendency similar to the present resolution, whether brought in by bill or resolution, and whether it had been carried by a large or small majority, had failed to be carried to the House of Lords. He felt persuaded that it would be impossible for any government, unless it were prepared to create 100 new peers, to carry through the House of Lords any measure converting the church property to secular purposes. It was important that it should be known, whether or not the House of Lords was prepared to agree to such a resolution. He could not conceive that any government which might come into office could be prepared to recommend to his majesty the creation of 50 or 100 new peers for the purpose of carrying into effect a measure to convert the surplus church property to secular purposes, although that surplus would be found to be, like the Croker mountains, without any existence at all. Lord John Russell answered, that he did not propose to communicate the resolution to the Lords, although he believed they would pass a legislative measure founded upon it. In 1828, a resolution of the House of Commons in favour of Catholic emancipation being communicated to the Lords, was rejected by them by a majority of forty. In the fol-

lowing year, it was sent up to them in the form of a bill, sanctioned by the Crown, and they passed it by a majority of 90 or 100. Profiting by that experience, he would not propose, in the first instance, to communicate the resolution to the House of Lords; but he felt confident that when the sanction of the Crown was obtained to the proceeding, the House of Lords would not refuse to pass a legislative measure, which he considered would be for the security of the church of Ireland, and at the same time for the peace of the empire. When his lordship stated this confident belief, he furnished a strong example of the extent to which a man's own sanguine hopes and eager wishes can seduce his sagacity into the most boundless credulity.

His lordship then moved his new resolution, the terms of which have just been mentioned. He treated it as a necessary corollary of what the House had already voted. Having declared their opinion, and excited the hopes of the Irish people, they would inflict aggravated disappointment, if they passed any measure on the subject of tithes, which did not embody the principle they had sanctioned. It behoved the House to continue the work, which they had begun, and to say that the principle which they had declared to be essential to the maintenance of peace and the due administration of justice in Ireland, should be carried into effect by some legislative measure. He was quite aware, that the chancellor of the exchequer had made a declaration that, consistently with his opinions, he could not agree to any such resolution being introduced into the tithe bill; but if the ministry were

to stand against this principle, it was far better that the principle should succeed, and the ministry fall, than that the ministry should succeed, and the principle fall. If he were successful in carrying the resolution, there would be no great difficulty, as soon as a sufficient number of reports had been received from the commission in Ireland, appointed last year, in framing clauses to be introduced into the tithe bill, sufficiently comprehensive to contain the principle adopted, and make such a distribution of the revenues of the church of Ireland as, after providing for that church, would carry a very large sum to the purposes of education. Sir Henry Hardinge begged to know distinctly what that was which his lordship called a surplus—at what point of provision for the church did it begin? When the church temporalities' bill was introduced, lord Grey, then at the head of that government, stated in the House of Lords, in very distinct terms, that, after all the clergy had received what was due under the plan proposed, there was to be a portion set apart for the augmentation of small livings, and for the building of churches and glebe-houses. He said that this was a matter of so much importance, that, in his opinion, no distribution, no appropriation of church revenues, should take place, until small livings had been augmented; and in the speech by which he introduced the church temporalities' bill, he estimated church-cess at 60,000*l.*, the augmentation of small livings at 46,000*l.*, the building of churches at 20,000*l.*, and of glebe-houses at 10,000*l.*, making in all 136,000*l.* a-year, to be appropriated to those important purposes, after the clergy

had been paid. Did lord John Russell adhere to that view of the matter? or did he intend to mark out a surplus before making provision for the augmentation of small livings, and the erection of churches and glebe-houses? Or what was the precise course he meant to pursue on the subject? His lordship answered, that the view he took of it was this: in parts of Limerick or Kerry, for instance, where there were a great number of parishes in a large district with no protestants, or with very few, there must exist a surplus, because there were too many benefices, and too many beneficed clergymen, to perform the duties required by these protestants: he would, therefore, not take away the revenues of these benefices, in order to apply them to the building of churches, and the augmentation of small livings in Armagh or Down, where they might be said to be required, but he would arrange that the surplus should be applied to instruction in the district where the surplus arose. Then, said, Mr. Baring, his lordship contemplates the destruction of certain benefices, the propriety and expediency of which is to be proved by documents not before the House. Did any man in his senses ever make a proposition so outrageously absurd, as to call on the House to deal with such a case, before the report of that commission which the noble lord had himself appointed in order to receive the necessary information on the subject? He was not disposed to pay the noble lord so bad a compliment as to say that he was not treating the House and the country with common candour and honesty; but supposing him to be sincerely honest in his intentions—that it was

no mere party purpose he had in view, but some real substantial measure for the purpose, as he called it, of tranquillizing Ireland—if such were his real intention, not only the obvious, but the only reasonable course, would be to ascertain first of all what surplus was likely to arise, what those benefices were which should be taken away from the church, and afterwards to apply any remedy which might be devised. In what possible manner could they apply the proposed remedy? They were left in ignorance whether the number of Protestants required to save the church in a particular parish was to be 50, or 100, or 200, or what rule of proportion was to be laid down. Let him take the facts for granted—let him assume some eight or ten parishes, with only 20 or 30 resident Protestants. The House was entitled to know by what sort of clauses the intended provisions were to be effected. They would likewise have to state under what circumstances the Protestant pastor was to be taken away from his parish, and also to explain the precise conditions under which the Protestant worship was to be restored, when the number of Protestants increased. How was it possible for them so to legislate in such a state of matters. Tranquillize Ireland! The wit of man could not have devised a scheme more directly tending to produce strife—discord—internecinal warfare. How could they expect peace, where the church was still to be maintained for 500 Protestants, for instance, among 5,000 Catholics? In every town or district where the numbers approached nearly to the proportion which would justify the removal of the Protestant clergymen, there would be constant war. This peace-

VOL. LXXVII.

making measure, intended, forsooth, to benefit the church, said to the Catholics, only drive ten men out of your parish, and you will rid yourselves of the Protestant establishment. If the House chose to deal with the church of Ireland on the principle now recommended, let them at least do so by a substantive and distinct measure, and not engraft it on any bill for the commutation of tithe, with which it has nothing to do.

Mr. Geo. Sinclair, a Scotch member, who, in general, had adhered to the Whig ministry, strongly opposed the resolution as one which must inevitably lead to the destruction of the church, all whose enemies were now uniting. The Unitarians protested against the church's God: The infidels railed against her wealth: The Dissenters were envious of her supremacy: And the Papists were longing to establish a supremacy of their own. However sorrowful the clergymen of the Church of England might be, the disciples of Carlile, Owen, and Robert Taylor, would receive the resolution with respect and gratitude; and this, undoubtedly, would compensate its friends for the dismay which it would spread among the Protestants of Ireland. They had heard much of religious scruples; but he held in absolute abhorrence the pretext of religious scruples in the very act of invading the rights and property of another church. The resolution, though it might appear that there was nothing in the principle, was one which, from its very vagueness, might be made to sanction the most atrocious crimes. If they adopted it, they would be compelled to go on in a ratio of terrible increase, taking one step after another in destroying the

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rights and confiscating the property of the church.

Mr. Perrin entered into various details of particular instances where wealthy livings were held by clergymen who had but a scanty flock, or no flock at all, among a large Catholic population, and argued rather the general question which had been already discussed, than the particular resolution then before the House. The resolution, however, he thought, would go far to soothe and conciliate, and to disarm the spirit which unfortunately prevailed in Ireland, although no one measure would tranquillize the country. Mr. Gisborne, likewise, supported the motion, by discussing the injustice and oppression of the establishment. The Protestant church not being in harmony with the feelings of the great majority of the population was the foundation of all the disturbance, crime, and misery which prevailed in Ireland; and this resolution was a last, and, he hoped, not a vain or desperate attempt still to save it, by rendering it, if not palatable, at least tolerable.

Sir Robert Peel began with stating that he had great objections to the form of the resolution, and to the principle which it would establish—a precedent which was perfectly novel, and with respect to which the noble lord himself must have entertained great doubts; since it was an entire departure from the course which he originally gave notice it was his intention to pursue. In the first instance, he had said that if the House of Commons affirmed his resolution, he would notify that fact to the Crown by address, in order to enable him to proceed with a bill. He had passed his resolution; but

he proposed to make no communication to the Crown—he proposed to make no communication to the House of Lords—but he did propose that the House of Commons should inform itself that it had passed the resolution, and that it would hereafter be bound by it. A majority of 25 had affirmed a certain resolution, against which a minority of 289 protested, independently of those who paired off, making altogether a minority of about 300 members. The noble lord now called upon the House to affirm the principle of that resolution—to declare that all further discussion was unnecessary—that no proceedings in committee on the tithe bill needed to be listened to—that there was but one measure which could effect a final and satisfactory settlement of the tithe question, and that was the measure to which the majority of the House had agreed. He did not hesitate to denounce this proceeding as the tyrannical act of a majority, a proceeding of a perfectly novel nature; a proceeding for which no precedent could be found, to preclude the necessity of further discussion in order to avoid their own conviction—in order to avoid listening to what might be urged in committee—to bind themselves irrevocably by an unnecessary pledge to the opinion that no measure could lead to a final and satisfactory settlement of the tithe question which did not embody a certain principle. This course of proceeding was unwise in itself, besides establishing a dangerous precedent. The mover himself had that night, with singular candour, told the House that he could not bring forward his plan until he saw the report of the commissioners. Would the House of Commons, then, adopt a course

of proceeding by which it would preclude itself from profiting by the information which must be contained in the report of the commissioners? Would they adopt the novel course of pledging themselves irrevocably to a principle—of prophesying that one thing, and one thing only, could lead to a final and satisfactory settlement? The adoption of the resolution would cut off all chance of that which was sometimes absolutely necessary in the conduct of human affairs,—namely, all possibility of compromise. Occasions sometimes occurred, in which it was necessary for one branch of the Legislature to sacrifice its opinions to conciliate another branch; but now it was proposed that one of the three branches of the Legislature should, without waiting for the report of the commissioners, which was acknowledged to be essential to the formation of any plan, declare that they would adhere to a principle which they had laid down, and listen to no compromise whatever. What was the object of all this precipitation? If there was a majority sufficient to carry the resolution, it must be sufficient to enforce the principle of that resolution in detail. Why, then, not wait for the committee on the tithe bill? Was not the conduct of the opposition, in fact, a practical declaration to the people of England to this effect:—"We have confidence in our resolution, but we have no confidence in ourselves?" It was necessary for them to swear eternal friendship upon their resolution. For two months they had been attempting to form a common bond by which they could unite themselves together; at length they discovered one, and so anxious were they in all times of difficulty and

embarrassment to adhere to it with desperate fidelity, that they were afraid to trust their own discretion—they were afraid to trust their own judgment—they were afraid to trust their own perseverance in their own opinion, but proposed, by a novel course, to adhere rigorously to their sole bond of union. Henceforth it would be merely necessary to gain a majority upon some preliminary point, and then to declare that no compromise would be admitted. By agreeing to the resolution the House would proclaim to the people of England and Ireland that the only satisfactory arrangement of the tithe question must be founded upon the basis of that principle, from which 300 members of the Commons dissented.

If the precedent proposed to be established was dangerous and inconvenient, the principle which it involved was still more alarming and objectionable. Lord John Russell had attempted to explain it thus:—"If I find in the South of Ireland, in Kerry or Limerick, some livings superfluously endowed, in that case it will not suit my purpose nor that of the House to transfer the surplus to supply deficient endowments in the north, in Down or Derry; but the surplus shall be applied to the purposes of education in the district where it is found." If that principle were followed out, it would superadd to the general interest a separate, peculiar, local, and parochial interest in the amount of tithes; it would constitute each parish into a separate territorial division, and proclaim to the people of Ireland that henceforth each parish should have a separate and peculiar interest in the amount of surplus which could be found within it. Then,

why limit the surplus to purposes of education? After having established a separate, peculiar, and parochial interest in the surplus, it was declared that to no one purpose it should be applied, excepting that of education in each particular parish. Supposing a parish should answer, "We have education enough already—we have several endowments for the purposes of education—the Protestant landlords have established schools—our children are all well instructed, and there are no demands for further education; at our own desire, and with a view to maintain our independence, we voluntarily make a small payment for each child, but we require no more funds for the purpose of instruction;" in such a case how would this principle satisfy public opinion in the parish? Supposing the surplus to be given to a neighbouring parish, which, however, was said not to be intended, would that create more satisfaction than if it were transferred to a distant one? From what he knew of local feuds in Ireland, he was sure that the application of surplus funds to the wants of a neighbouring parish was not likely to be received with greater favour than their transference to the north of Ireland. After the resolution should have gone forth accompanied with the seven nights' debate, how would the people in every parish in the south of Ireland scan it, and set to work to ascertain its meaning? They would find it distinctly explained that their interest in tithes was not personal but parochial, and that by way of sharpening their understanding this provision was added—that in case the Protestant interest should hereafter revive in a parish in which the surplus had been appropriated according to the

new principle, the vested interests which might have accrued in the mean time were liable to be set aside, and the fund reapplied to its original purpose. Again a Protestant landlord would have a manifest interest in getting round him as numerous a Protestant tenantry as possible, in order to establish a claim to a part of the surplus. If the House should adopt the proposition, they would give religious Protestant landlords (and the best, because religious) a direct interest in dispossessing Catholic tenants of their land, and supplying their places by Protestants. On the other hand, the Catholic population would have an interest in intimidating and driving away Protestants, and thus religion and bigotry would be added to the other causes which at present rendered the letting and the holding of land in Ireland sources of excitement and disturbance. Again, supposing the case to which he had already referred—namely, that a surplus should be found in a parish in which the means of education were already abundant, would not the Catholics say, "You have established the principle that we have an interest in the surplus; we derive no advantage from its present application, and therefore we insist that it shall be applied in another way." How could the noble lord answer that argument?

If members on the opposite side of the House were not too much elated with a temporary triumph—if a majority, independent of argument, and contemplating only the consequences of success, could have been brought to listen to reason—he would have asked, whether it was just to the church—whether they were likely to conciliate the

good feeling and good-will of those for whom they legislated, to proceed to pass this resolution in the ignorance they were in of the real amount of the revenues of the Irish church. There was no excuse whatever for this course. Returns had been called for, and in three days they would be before the House. Members opposite had eagerly sought for that information; but they now refused to be governed by it, and pledged themselves to listen to nothing but the resolution. "You may act upon that determination, but, happen what may, I shall not adopt the principle of that resolution. I will not give effect to it. When I consider the hopes you have raised and the expectations you have excited, which I know must be disappointed, the boldest man would be justified in shrinking from that resolution. You are attempting to establish a principle, but depend upon it there will be no limitation to it except in the destruction, in its present form, of the Protestant church of Ireland. I am not unconscious of the difficulties by which I am surrounded. I am determined to make every effort I can, consistently with honour, to retain the situation which I owe to the favour of my sovereign; but I believe that I should place my country in less danger by refusing to accede to your resolution, than by yielding to it, and thus becoming a party to the principle for which you are contending."

Mr. Spring Rice admitted that they were anxious for information, and would willingly have waited for the report of the commissioners, had not the question been forced upon them by the introduction by the government of the tithe bill, which, in his opinion, affirmed the

proposition that there should be no such appropriation as the present resolution contemplated. He did not, however, explain how it came that all that was now sought for was not done in dealing with the tithe bill itself. The House ought to consider that the supporters of the present resolution were not now propounding any new doctrine, or taking up a new position, for the purpose of harassing the existing government. In the late parliament the doctrine laid down by lord Althorp exactly coincided with the course now taken. In the month of June, last year, lord Althorp declared that "church property was trust property, and that if it were greater than necessary for the accomplishment of the trust, for the maintenance of the established church, or for the benefit of Ireland, the appropriation of a part of that property to the religious and moral education of the people, so far from injuring the interest of the established church, would tend quite as much, if not more, to promote that interest, than the manner in which the property was now applied." Now, he desired any gentleman, who thought that this motion was brought forward from motives of party faction, to point out the difference between the present resolution and those sentiments of lord Althorp expressed last year? But Mr. Rice forgot that, when these sentiments were sought to be forced on the House in the form of a general resolution, proceeding without inquiry and without information, lord Althorp and all his colleagues resisted it successfully. Mr. Rice further assured the House, that the last thing which entered his mind was to make the government measure regarding tithes a

party question ; but, at the same time, he and his friends were not to be fettered in the legitimate exercise of their powers in order to keep the present ministry in office. Certain inconveniences and possible dangers had been pointed out as the future consequences of the present or any other proposition on the subject ; but were there no dangers in the existing state of church property in Ireland ? The secretary for Ireland had declared that under the existing law he could not answer for the recovery of tithe without the use of force. Was there no danger in a state of things like that ? It was therefore the duty of a reasonable and practicable statesman to examine the question maturely, and to see on which side the greatest dangers and difficulties lay.

On the division, the resolution was carried by 285, against 258, being a majority of 27 ; the numbers still continuing to be proportionally almost the very same that they had been on the discussion of the original resolution.

The House of Commons having thus declared that they intended to insist on certain measures, to which they were to request the concurrence of the Crown, and in which the present administration could not advise the Crown to give that concurrence, the ministry resigned on the following day. On the meeting of the House (April 8), Sir Robert Peel stated that he and his colleagues, by an unanimous determination, had placed their offices at the disposal of the King. " I do not hesitate," he continued, " to say that we have taken this course with the utmost reluctance, and not without the deepest conviction of its necessity. Being in possession of the entire

confidence of the king, and having received from his majesty the most cordial and unremitting support—looking to the present position of public affairs, and the present state of political parties—looking to, not only the numerical, but the moral strength, of that great party by which we have had the honour of being supported, we felt it was our duty, under existing circumstances, to continue the attempt of administering public affairs, as the responsible advisers of the Crown, to the latest moment that was consistent with the interests of the public service, and with the honour and character of public men. When I do not hesitate to avow that reluctance, I believe I shall have credit with a great majority of the House of Commons, that it arose from public considerations alone, and was wholly unconnected with everything of a personal nature. I have a strong impression, that when a public man, at a crisis of great importance, undertakes the public trust of administering the government of this country, he incurs an obligation to persevere as long as it is possible for him to do so—that no indifference to public life, no disgust with the labours which it imposes, no personal mortification, no deference to private feeling, should sanction a public man in withdrawing, on light grounds, from the post in which the favour of his sovereign has placed him. But, at the same time, there is an evil in exhibiting to the country the want on the part of the government of that support in the House of Commons, which should enable it satisfactorily to conduct the public affairs, and to exercise over the House the legitimate and necessary control conferred by the pos-

session of its confidence. Considering all that has occurred since the commencement of the present session—the little progress we have been able to make from the want of the support and confidence of the house—that ministers have had the misfortune, on each of four successive nights, to be left in a minority, although on that question they had received the support of those who, not having a general and unlimited confidence in the government, yet have given it their cordial and honourable assistance on every occasion on which it was consistent with their public principles to give it,—adverting to all these considerations, in my opinion, the time is come, when it is incumbent on us to withdraw from the responsibility which office, under such circumstances, imposes. The vote, too, of last night implies, I conceive, a want of confidence in his majesty's government; because, in my opinion, it was not necessary, for any public purpose, to come to that vote. It was tantamount to a declaration, that the House has not that confidence in the present government which would entitle its members to submit to the consideration of the House the measures of which they had given notice. An intention has been announced, likewise, if that vote did not lead to the result which it has led to, to follow it up with an address to the Crown. As embarrassment to public affairs would have arisen from the presentation of that address, and as I have no right to assume the House would take a view with respect to the policy of that address different from the view which it has taken with respect to the resolution, it has appeared to myself and to my colleagues, whose views are in exact conformity with my own,

that it is not our duty to persevere in a useless struggle, which may involve the king, public men, and the country, in additional and unnecessary embarrassment. If we had resolved to continue in office, it would have been our duty to have pressed for an immediate decision with respect to tithes. We could not have proceeded with the tithe bill of which we have given notice, without previously proposing the resolution for the remission of the claims upon the Irish clergy for payment of the instalments due under the million act, which is one of the principles of the bill. I could not anticipate upon it a different conclusion from that to which the House has already come, or that the majority would sanction that resolution without a distinct understanding that the tithe bill was to be framed upon a principle recognizing the vote of last night. Whatever difficulties may attend the subject of tithes, that is a principle which we are resolved never to adopt. As, therefore, we must have proceeded with our bill, while the vote of last night rendered it impossible to proceed with it, we have requested his majesty's permission to relinquish the trusts which he had placed in our hands; and we hold our offices only to prevent public inconvenience, till our successors shall be appointed. I have been anxious to give this explanation in a manner the least calculated to give offence, or to excite angry feelings. For myself, the whole of my political life has been spent in the House of Commons—the remainder of it shall be spent there; and whatever may be the conflicts of parties, I for one would always wish to stand well with the House, whether in a majority or in a minority. Under

no circumstances, under the pressure of no weight, would I ever have advised the Crown to resign that great source of moral strength which consists in a strict adherence to the practice, to the principle, to the letter, and to the spirit of the constitution of the country. That adherence will be the surest safeguard against any impending danger; and it is because I entertain that belief that I consider that a government ought not to persist in carrying on public affairs, after a fair trial, against the decided opinion of a majority of the House of Commons. Although I sincerely regret the necessity which has compelled me to abandon his majesty's service at the present moment, yet, upon the balance of public consideration, I feel that I have taken a course

which is more likely to sustain the character of a public man, and promote the ultimate interests of the country, than if I had persevered in what I believe would have been a fruitless attempt, in the face of the opposition which has hitherto obstructed the satisfactory progress of public business, while I and my colleagues have been in office."

This parting address was received with loud expressions of applause and esteem from all sides of a very full House; and lord John Russell stated his conviction that the retiring minister had acted entirely in the spirit of the constitution. On the same evening, a similar announcement was made by the duke of Wellington in the House of Lords.

CHAP. IX.

State of public opinion regarding the late Ministry—Re-formation of the Melbourne Ministry—Conversation in the House of Lords regarding their coalition with Mr. O'Connell—Lord John Russell defeated in his re-election for Devonshire—The Ministerial candidates ousted in Staffordshire and Inverness-shire—The new Ministry confine their measures to Municipal Reform and the Irish Church—Lord Chandos's Motion for an Address to the Crown on the subject of Agricultural Distress—Motion for a Select Committee on the State of the Currency—Commission of Inquiry into the State of Municipal Corporations—Bill brought in by Ministers to Reform the Government of Boroughs—Read a Second Time without Opposition—Committee on the Bill—Division on giving the Crown the power of fixing the Boundaries of the Boroughs—Debate on Amendments to preserve the Patrimonial Rights and Parliamentary Franchise of the Freemen—Sir R. Peel's proposed qualification for Members of Town-Councils rejected—Lord Stanley's Amendment to renew one-third of the Town-Councils only, every second year, rejected—Mr. Grote's Motion to make it lawful to elect the Town-Councils by Ballot, rejected—Discussions regarding the Clauses making Town Clerks removable at pleasure, and giving the Town-Councils the power of granting Licenses—The Bill passes the Commons.

THE career of sir Robert Peel as prime minister had been a brief one; but, in so far as his own reputation was concerned, it had been altogether triumphant. Few men had made, in so short a space, such rapid progress to the highest place in the esteem and admiration of his countrymen. The circumstances, in which he had been called to the head of affairs, surrounded him with peculiar difficulties, which demanded great strength of mind, as well as much skill and talent. Notwithstanding the benefits derived from the general election, he had to struggle in the

House of Commons with a majority not over-scrupulous about the devices or combinations by which they might restore themselves to power. The public mind was only in the course of recovery from the fever into which it had been thrown by the gratifications of popular power; and he was compelled so to shape his policy as to avoid running counter to the necessities of altered institutions and modes of thinking, while he sacrificed none of the principles which he held essential to the preservation of the constitution, and the quiet government of the country.

He was placed in the difficult situation of a minister dependent on the public voice, and yet determined not to bow the knee to those idols on which democratical superstition bestows the name of popular rights, and in whose worship all that is desirable in civil society is held to consist. The prime minister performed his task with an ability which was unexpected even by those who knew him best. Since the days when Pitt, in his youth, battled, but in far more favourable circumstances, against an unpopular coalition, the House of Commons had presented no similar spectacle. It was there that the fight was to be fought; and there the whole burden of the contest seemed to be laid on the single shoulders of sir Robert Peel; for, though his colleagues were excellent men of business, and of sound and extensive practical information, they furnished no champion of great power in debate. He did not shrink from the work. His mind seemed to have received new energy, and his oratorical talents greater power and brilliance, from the necessities with which they had to combat. He at once took his place in the House, not merely as the first, but without a rival; and even those who longed for the downfall of his power could not refuse their admiration to the mighty talent with which he sustained the contest to the last, ever ready for all emergencies, and manfully meeting every difficulty front to front. The sympathies of the country speedily began to be roused in his favour; the more so when it daily became more manifest that the policy of his administration was founded on no principle which could impede public im-

provement, or present any obstacle to the development of the real strength and resources of the country. The opposition themselves unconsciously aided this disposition in favour of the administration by selecting their Irish church scheme for its overthrow. The people of England were not yet indifferent to the disasters of the protestant church, and the encroachments of popery. They saw the government applying to the question of tithes practical remedies of the same nature, at least, with those to which its opponents themselves, a few months before, had limited their prescriptions; they saw these practical remedies stopped in order to make a declaration that something more would be added to them, provided that something turned out to exist: they saw all this done by means of a catholic party, and to secure the alliance of a catholic party; and they saw that a majority of their own representatives was powerless in the government of the country, borne down by the Irish members, whose principles and language were by no means fitted to conciliate confidence. Wisely did the opposition act in determining instantly to make their resolution a ground of dispute with the crown, if ministers did not yield, rather than to use their majority to introduce it in the form of clauses into the government bill, to be rejected by the House of Lords. They had no time to lose; for public opinion was already beginning to speak out. From the time that sir Robert Peel declared his intention of resigning, if the resolutions were successfully persisted in, addresses poured in upon him from all parts of the kingdom, many of

them requesting him still to continue the struggle, and all of them expressing deep admiration of his integrity, public spirit, and transcendent talent with which he had conducted the government. He acted better for himself and the constitution. It was right to give the opposition no advantage which they might derive from the executive being any longer maintained in a hostile attitude to a majority of the Commons, however that majority might have been brought and kept together. He retired from power, although defeated, acknowledged by all as the greatest man whom the contest had called forth, the first statesman, and the ablest political leader in the empire ; and he left behind him the strong and growing conviction on the public mind, that the principles of his government were those best suited to promote the true interests of the empire, and ensure the safety of its civil and religious institutions.

The difficulties of the opposition began with their triumph. On the resignation of sir Robert Peel, the king sent for earl Grey who, whatever advice he might give his majesty, did not undertake the task of forming a ministry himself. This difficult exploit was therefore again intrusted to the hands of lord Melbourne, who had the *disjecta membra* of his former cabinet ready to be again put together. Lord Althorp, now earl Spencer, would not return to his place in it, and there were strong reasons to prevent the re-appointment of lord Brougham. The demands, likewise, and the expectations of the Irish allies were to be considered ; for by them alone had the battle been won. It might not be prudent as yet to put forward

O'Connell himself or any of his immediate retainers as official persons to be intrusted with the government of the country ; but it was necessary, in order to prevent their defection, to come to an understanding with them regarding the Irish appointments, and regarding the extent to which Ireland was to be governed on the principles and for the purposes of the catholic party. To the question so often put during the discussions on the emancipation bill in 1829,—what is to be dreaded from the influence of forty or fifty catholics, even if so many should get into the House of Commons?—it had always been answered that such a body, acting together, would hold the balance, and make what terms they chose with the party to which their alliance would give power and superiority. The prediction had already been literally fulfilled. This popish party had overturned one ministry, and the formation of another now depended upon it.

After sir Robert Peel's announcement of his resignation on the 8th April, the House of Commons met on the 9th merely for an election ballot, and then adjourned till the 13th. On that day sir Robert Peel informed the House that he had received an intimation from his majesty, that the new arrangements were in progress, but were not yet completed ; and the House again adjourned till the 16th. On the 16th sir Robert was under the necessity of making a similar communication. Lord John Russell having stated that it was expected the ministry would be finally formed in a day or two, although he could not say it was yet formed, the House

adjourned till the 18th, and on was announced in both Houses of that day the new administration Parliament.*

* The following were the appointments :—

THE CABINET.

First Lord of the Treasury	-	-	-	Lord Melbourne.
President of the Council	-	-	-	Lord Lansdowne.
First Lord of the Admiralty	-	-	-	Lord Auckland.
Chancellor of the Duchy of Lancaster	-	-	-	Lord Holland.
Woods, Works, and Privy Seal	-	-	-	Lord Duncannon.
Home Secretary	-	-	-	Lord John Russell.
Foreign Secretary	-	-	-	Lord Palmerston.
Colonial Secretary	-	-	-	Mr. Charles Grant.
India Board	-	-	-	Sir J. C. Hobhouse.
Secretary at War	-	-	-	Lord Howick.
Board of Trade	-	-	-	Mr. Poulett Thomson.
Chancellor of the Exchequer	-	-	-	Mr. Spring Rice.

NOT IN THE CABINET.

Joint Secretaries of the Treasury	-	-	-	{ Mr. Francis Baring.
				{ Mr. E. J. Stanley.
Attorney-General	-	-	-	Sir John Campbell.
Solicitor-General	-	-	-	Mr. Rolfe.
Judge-Advocate-General	-	-	-	Mr. Cutlar Ferguson.
Postmaster-General	-	-	-	Earl of Minto.
Paymaster-General and Treasurer of the Navy	-	-	-	{ Sir H. Parnell.
Clerk of the Ordnance	-	-	-	Colonel Leith Hay.
Lord-Lieutenant of Ireland	-	-	-	Lord Mulgrave.
Lord Chancellor of Ireland	-	-	-	Lord Plunkett.
Attorney-General for Ireland	-	-	-	Mr. Perrin.
Solicitor-General for Ireland	-	-	-	Mr. O'Loghlin.
Lord Advocate of Scotland	-	-	-	Mr. J. A. Murray.
Solicitor-General for Scotland	-	-	-	Mr. Cunningham.
Lords of the Treasury	-	-	-	{ Lord Seymour.
				{ Mr. Ord.
				{ Mr. R. Steuart.
				{ Lord Dalmeny.
				{ Admiral Adam.
Lords of the Admiralty	-	-	-	{ Sir T. Troubridge.
				{ Admiral Sir W. Parker.
				{ Hon. Capt. Elliott, R.N.
Irish Secretary	-	-	-	Lord Morpeth.
Vice-President of the Board of Trade and Master of the Mint	-	-	-	{ Mr. Labouchere.
Under Secretary of the Home Department	-	-	-	{ Hon. Fox Maule.
Under Secretary of the Colonies	-	-	-	Sir George Grey.
Secretary of the Admiralty	-	-	-	Mr. C. Wood.
Secretaries of the Board of Control	-	-	-	{ Mr. Robert Gordon.
				{ Mr. Vernon Smith.
Surveyor-General of the Ordnance	-	-	-	Sir Rufane Donkin.
Storekeeper-General of ditto	-	-	-	Lieutenant-Colonel Fox.
Lord Chamberlain	-	-	-	Marquis Wellesley.

The Great Seal was put in Commission :—

The Master of the Rolls, the Vice-Chancellor, and Mr. Justice Bosanquet were the Lords Commissioners.

Lord Melbourne resumed his place as first lord of the treasury, and Mr. Spring Rice became all at once chancellor of the exchequer : lord Auckland was first lord of the admiralty, sir John C. Hobhouse president of the board of control, and Mr. Poulett Thomson, as before, president of the board of trade. Lord Duncannon, who had formerly been the home secretary, was placed at the head of the woods and forests, and lord John Russell took his place in the home department : the colonial office was given to Mr. Charles Grant, and the seals of the foreign office were restored to lord Palmerston, who had been unable to find a seat in parliament at the general election. Viscount Howick was secretary at war, sir Henry Parnell paymaster-general, Mr. Cutlar Ferguson judge-advocate-general ; sir John Campbell and Mr. Rolfe again became attorney and solicitor-general ; but there was no lord chancellor. Lord Brougham, however useful in debate, seemed to be dreaded by his friends ; the king was said to have a strong disinclination to intrust him again with the seals ; and his lordship did not possess that weight of professional character, as an equity judge, which would have overbalanced these objections. The Great Seal was therefore put into commission, the commissioners being the master of the rolls, the vice-chancellor, and Mr. Justice Bosanquet. Lord Mulgrave was made lord-lieutenant of Ireland, with lord Plunkett once more as chancellor, and lord Morpeth as Irish secretary. Mr. Perin was named attorney-general, and Mr. O'Loughlin solicitor-general ; both of them gentlemen whom Mr. O'Connell patronized, but neither of them distinguished

for the extreme and active turbulence which marked the character of their patron, or the loathsome and rabid abuse in which he loved to indulge.

On the 18th the new writs were moved for in the House of Commons without remark. In the House of Lords, viscount Melbourne, in informing the House that he was again at the head of the ministry, admitted that the difficulties, which he had encountered in forming his administration, had not only been many and great, but some of them of a peculiarly severe and mortifying nature. He meant to proceed on the same principles on which his former government was based, and which, he said, to a great extent had been recognized, confirmed, and strengthened by those who succeeded him and his colleagues in office. They were principles of safe, prudent, and truly efficient reformation,—principles, the tendency of which was, not to subvert or endanger, but, on the contrary, to improve, strengthen, and establish, the institutions of the country. In regard to those measures which related to ecclesiastical government—he assured their lordships, that every measure contemplated in reference to that subject would have for its end and purpose the promotion and increase of true piety and religion throughout the whole of his majesty's dominions. Lord Alvanley, however, wished to know from Lord Melbourne how the ministry stood in regard to Mr. O'Connell and his followers. He wished to know whether government had, or had not, secured their aid ; and if they had, what were the terms on which that support had been obtained? Only two months ago, Mr. O'Connell had

said to a public meeting, " I never was more fully impressed with the necessity of a resident parliament ; and the most anxious wish of my heart is, to see it sitting in College Green, and opposing the continuance of the Union. It is not vanity which makes me think that I shall yet hear some member of the Irish parliament hail me as the father of my country, exclaiming—' The Union is prostrate, and Ireland is free.' " He had spoken thus, likewise of the House of Lords :—
 " A reform in the House of Lords is essentially necessary for the security of popular freedom, and I shall assist in procuring that reform. I am anxious that that House should be founded on sound common sense ; in short, that it should be converted by law into an elective assembly." Such language, coming from such a quarter, was not to be considered as mere words of course. Mr. O'Connell had pledged himself as deeply as any public man could possibly pledge himself, to subvert the constitution of that House. It was only a few months since Mr. O'Connell opposed the government of the noble viscount in the most strenuous and decided manner ; and only a very short time before that, he had been denounced in every way, except by name, in the speech from the throne. He therefore requested to know whether lord Melbourne had changed his opinions ; and if he had, on what terms that change had been effected ? The aid of Mr. O'Connell was not to be secured for nothing. It was beyond human credulity to believe that he would not oppose the present government, unless he received an equivalent for his forbearance ; and he thought that the House had a right to know, what equivalent had

been given to Mr. O'Connell for his aid. He asked the noble viscount, then, on what terms he had negotiated with Mr. O'Connell, and how far he stood committed to that gentleman, who most solemnly declared that he would never rest till he had effected the repeal of the Union ? He called on the noble viscount, as a peer of the realm, and as a member of that House, to state distinctly how far he agreed with that gentleman in his project for reducing this branch of the legislature to a mere elective assembly ? The duke of Buckingham added, that he wished to know, whether lord Melbourne was prepared to bring forward a measure with respect to tithes, founded on that resolution which would go to appropriate the surplus of church revenue, should there be any, to other than protestant religious purposes ?

Lord Brougham, to whom no question had been put, and who was not a minister, interfered with great vehemence to complain that the questions of lord Alvanley were improper, and to advise lord Melbourne not to give an answer. Lord Melbourne, however, thought otherwise. The noble lord has asked, how far I coincide in opinion with Mr. O'Connell ? Why, not at all. He has also asked me, whether I now entertain the same opinions that I held on a former occasion, which I apprehend refers to the time when the coercion act was under consideration ? I certainly do entertain the same opinions, and I persevere in them. The noble Lord then demanded of me, whether I have taken any means to secure the assistance of Mr. O'Connell, and if so, upon what terms ? I do not know whether I shall have the as-

sistance of Mr. O'Connell or not ; but I can state most distinctly that I have taken no steps to secure it ; I have entered into no terms whatever, nor said anything from which any inference could be drawn, in order to secure that individual's support. If the noble lord has been told anything to the contrary, he has been told that which is false and without foundation. As to tithes, I do not hesitate to say, that I consider myself pledged to act on the resolution of the other House."

On the 20th, both Houses adjourned till the 12th of May. In the interim, the new ministers who belonged to the House of Commons had to be re-elected ; and although they were in general successful, they encountered failures, some of which were extremely discouraging, and gave symptoms of the alarm which they had excited in the public mind. Mr. Littleton being raised to the peerage, by the title of lord Hatherton, a vacancy occurred in the county of Stafford. A conservative candidate took the field, and was returned. Mr. Charles Grant was likewise called to the House of Lords as baron Glenelg ; and the Scotch county of Inverness, for which he had been chosen at the general election, immediately returned a conservative candidate. But the severest stroke of all occurred in the case of lord John Russell himself. He again presented himself to the electors of the southern division of Devonshire. Mr. Parker took the field against him, and beat the secretary of state by a majority of 627 votes. These three elections disposed of six out of the seven votes which had carried the amendment on the address. Lord John Rus-

sell did not procure a seat till after parliament had re-assembled, Colonel Fox, member for Stroud, accepted the Chiltern Hundreds in his favour, and became secretary to the Ordnance. By a similar negotiation, Mr. Kennedy, member for Tiverton, made room for lord Palmerston. In Yorkshire, lord Morpeth was opposed but carried his election by a very great majority.

When the new ministers proceeded to explain what they intended to do, it was found that the only measures which they meant to bring forward, were a bill for the reform of municipal corporations, and a bill regarding tithes in Ireland, founded on the late resolutions of the Commons. Nothing was to be done in relation to the Dissenters. The bill brought in by sir Robert Peel, and which the Dissenters had received with so much satisfaction, was to be dropped: no other was to be proposed in its place ; for Lord John Russell had not had time to consider the details of the measure, which he thought would require considerable alterations in order to effect its purpose, or to make up his mind as to the changes which he would be inclined to adopt. There was to be no measure of English ecclesiastical reform, nor any use made of the commission which the late ministry had appointed for that purpose. Commutation of tithes in England, and the conversion or abolition of church-rates, were not to be brought forward. Lord John Russell said, that if he had learned anything by the experience of the last three years, during which he had been a member of the government, it was that they frequently fell into difficulties by undertaking too great a multiplicity of measures, so that there were questions with which,

at the end of the session, they could not proceed, from want of sufficient time for due consideration. He was perfectly inclined to consider any question that had been brought before the House by the late ministry; but still, he would not undertake, on the part of the government, to go farther than municipal reform in England and Wales, and the regulation of tithes in Ireland. The new opposition admitted, that it was much wiser to proceed with caution than to bring forward measures hastily, to abandon them as hastily. But they asked, did you not complain, in the amendment which you carried upon the address, that besides the questions of municipal corporations and Irish tithes, "the progress of other reforms had been interrupted and endangered by the unnecessary dissolution of a parliament earnestly intent upon their prosecution." These other reforms undoubtedly meant commutation of tithes, abolition of church-rates, and the removal of some, at least, of the grievances of the Dissenters. It now turned out, that, instead of these having been endangered or interrupted by the accession of the late ministry, that ministry was prepared to have brought them all forward; and they were to be laid aside, in the mean time, by the new administration, who had complained that their progress would be stopped.

Great changes in the mode of electing municipal authorities and in the general government of borough affairs had become inevitable from and after the passing of the reform bill. It was difficult to exclude from the election of their new town-councils, the inhabitants of boroughs who were everywhere trusted with the election of the

members of the legislature. The reform ministers had likewise an interest of their own in effecting such a change; for they expected, and not unnaturally, that the more popular the government of boroughs could be made, the better secured would be the influence of their own political party, whose creed was always favourable to the power of numbers, and which was now in a fair way of being compelled to stand upon numbers in opposition to the property and intelligence of the country. The boroughs of Scotland had already undergone this system of purification, without even waiting for the report of a commission of inquiry. The election of the magistrates and town-councils had been vested in the ten-pound householders, and the consequences had been marked by nothing beneficial, except the gratification of the love of power. The town-councils, in general, had become arenas for the rabid declamation, the vulgar abuse, the party contests of talkative, self-conceited, uneducated demagogues. No reasonable man pretended seriously to say, that the magistracy and town-council of Edinburgh or Glasgow had been improved in wisdom, intelligence, integrity, or habits of business.

England had been more leisurely dealt with. In accordance with the recommendation of a committee of the House of Commons, in 1833, a commission had been appointed to inquire into the state of corporations in England and Wales. In the royal speech at the prorogation of parliament in that year, the object of the commission had been thus stated:—"The result of its inquiries will enable you to mature those measures which may seem best fitted to place

the internal government of corporate cities and towns upon a solid foundation in respect to their finances, their judicature, and their police;" and, in the speech at the opening of last session, his majesty had said, in reference to the expected reports, "they cannot fail to afford you much useful information, by which you will be enabled to judge of the nature and extent of any existing defects and abuses, and in what manner the necessary corrections may, in due season, be safely and beneficially applied." If the reports were to be applied to this cautious and salutary purpose, impartial information was necessary and useful; the nature and extent of the remedy to be applied would vary in each case with the extent and nature of the abuse to be corrected, and where no abuse existed, it was not easy to see why, on these principles, any change should be introduced. But these were not the views of the ministers. They did not inquire in order to learn what ought to be changed. They had resolved to change, and wished by means of the commission to obtain ostensible reasons for their measure, by exposing practical abuses. The great abuse in their eyes was, that the boroughs were not democracies; that they were not in the hands of the ten-pounders, or of a class still lower. In this they might be right, or they might be wrong; but that the boroughs were not now in the enjoyment of popular elections was a fact which it did not require any commission to ascertain. If, again, the change was to depend, not on the mere fact of the absence of that popular control, but on the practical evils and abuses which its absence might fairly be con-

sidered to have produced, why should the change consist in one sweeping uniform destruction of the existing mode of government in every borough, even though that government should have maintained it in growing prosperity and happiness? It was one thing to say, that boroughs must be reformed, because they had suffered from misgovernment. It was a very different thing to say, that all boroughs must receive popular election, because it was the right of the people to choose their own governors. It was quite intelligible for ministers to have said, 'the great defect and abuse in municipal corporations which we mean is, the want of popular election—and that is an evil in itself which must be removed, whether its consequences have been good or bad;' but then this should have been frankly stated. As this was their true principle, and they, nevertheless, issued a commission to ascertain practical abuses, that commission was represented by their opponents as being, not an assemblage of impartial men employed to collect fair and unbiassed information, but an expedition of political partisans sent abroad through the country to procure pretexts for that which their employers were already resolved to do. The consequence was, that, both in and out of parliament, the statements made by these gentlemen in their reports were broadly asserted to be partial, unfair, evidently got up to serve a purpose, drawn, in many cases, from the most untrustworthy sources, every person's tale, who chose to abuse a corporation, being received as stating undoubted facts, or sound opinions, and consequently in numerous instances, utterly unfounded.

The commissioners had not made their report when sir Robert Peel went out of office; yet the new ministers had made it one of the great topics in opposing the address, that there must be popular election in all boroughs, and the then late, but now present, attorney-general had declared, that he would himself bring in a bill for that purpose—plain indications that their plan was to rest on a general political principle, not on the varying practical abuses which were to be learned from the non-existing reports. The commissioners had framed a general report, besides separate reports on individual corporations. The former and most of the latter were presented in the end of May. The general report concluded thus: “In conclusion, we report to your majesty, that there prevails amongst the inhabitants of a great majority of the incorporated towns a general, and, in our opinion, a just dissatisfaction with their municipal institutions; a distrust of the self-elected municipal councils, whose powers are subject to no popular control, and whose acts and proceedings being secret are unchecked by the influence of public opinion; a distrust of the municipal magistracy, tainting with suspicion the local administration of justice, and often accompanied with contempt of the persons by whom the law is administered; a discontent under the burdens of local taxation, while revenues that ought to be applied for the public advantage are diverted from their legitimate use, and are sometimes wastefully bestowed for the benefit of individuals—sometimes squandered for purposes injurious to the character and morals of the people. We therefore feel it to be our duty to

represent to your majesty that the existing municipal corporations of England and Wales neither possess nor deserve the confidence or respect of your majesty’s subjects, and that a thorough reform must be effected before they can become what we humbly submit to your majesty they ought to be, useful and efficient instruments of local government.” The report was not unanimous. One of the commissioners gave in objections against it to government, and another dissented from it entirely.

Proceeding on this recommendation, Lord John Russell, on the 5th of June, detailed the plan of municipal government which ministers intended to provide for 183 corporations, to which the bill was to extend, including a population of at least two millions. Many of these corporations, he said, governed large and important towns, of which they did not properly represent the property, intelligence, and population. In Bedford, the corporate body was only one-seventieth of the population, and one-fortieth of the property of the town. In Oxford there were 1,400 electors, a great many of whom were not rated inhabitants of the town, and generally there was so much treating and such corrupt practices prevailed, that, at the time of an election, seldom more than 500 took part in it. In the city of Norwich there were 3,225 resident freemen, but of these 1,123 were not rated at all, of which 1,123, three hundred and fifteen were paupers. Of the amount of property rated in that place, it was stated that out of 25,541*l.*, which was the total value, 18,224*l.* was the property of persons who in no way belonged to the

corporation In Lincoln three-fourths of the corporate body were not rate-payers, and nearly four-fifths of the population were excluded from the corporation. At Ipswich, of 2,000 rate-payers only 187 belonged to the corporation. In Liskeard 1,685 persons were rated by a local act, and of these only 111 were freemen, so that fourteen-fifteenths of these individuals paying taxes to the corporation were excluded from the municipal body. At Cambridge, in a population of 20,000 inhabitants, of whom 1,434 were 10*l.* householders, there were only 118 freemen; and of the property, valued at 25,490*l.*, only 2,110*l.* was the property of freemen belonging to the corporation. Corporations so constituted were altogether unfitted for gaining the only object for which corporations ought to exist, viz. to represent the property of the town in which they were situated—to entertain sympathy with the general feelings of the inhabitants—to take care of their interests, and to give that due protection which the governing body ought to afford those who were liable to pay the expenses of government. There existed a complete separation between the governing power and the body of the people. A few persons carrying on the government for their own benefit were connected with a portion of the lower classes of the people, whose votes they bought, whose habits they demoralized. The abuses resulting from this were enormous. In the distribution of the charity funds of such places, it would be found that two-thirds or three-fourths of the whole were distributed to those who belonged to the governing body. It would appear in the case of some of the corporations, whose

affairs had been most minutely examined in reference to charity estates, that funds, intended to be used for the general benefit of the towns, were partly devoted to the private benefit of individuals, partly applied to defray the expense of feasts and entertainments provided for the mayors, corporations, and municipal officers—entertainments which, in some, and those not large towns, frequently cost 500*l.* or 600*l.* a-year, and were in a great part employed in bribing and corrupting the freemen, to supply them with inducements to stand by their party, and not desert it when any political occasion should arise that required their suffrages. The report on Aldborough stated that the burgesses were accustomed to ask a regular price for their votes—35*l.* being the price of a respectable and honest burgess; but one individual, an “honest and discreet man,” and a member of the select body, valued his office and influence at 100*l.* a-year, and this individual was a clergyman. In the borough of Orford, the chief corporators there the marquis of Hertford, some members of his family, the marquis of Hertford’s former steward, the right hon. J. W. Croker, the town-clerk, &c. The solution of this circumstance was, that those two places), and they formed an illustration of a hundred other cases), used to return members to parliament; and extending the investigation a little further, it would be found that they were both consigned to schedule A of the Reform Bill. In short, it was proved by all the inquiries which had been made, whether in the large boroughs or in the smaller, that the practice had been, to use the powers of municipal corporations, not for the

good government and benefit of the towns over which they presided—not in order that they might be “well and quietly governed,” to use the terms of the charters,—but for the sole purpose of establishing an interest which might be useful in the elections of members of Parliament.

To prevent this in future it was not proposed that the charters of the boroughs should be taken away; but it would be provided that all powers conferred by these charters, which might be inconsistent with the provisions of the present bill, should cease and determine. It was proposed that there should be one uniform system of government—one uniform franchise for the purpose of election; and the like description of officers with the exception of some of the larger places, in which it might be desirable to have a recorder, or some other magistrate different from the other smaller boroughs. In regard to the qualification of electors, it had been determined not to adhere to the parliamentary franchise; for if they were to enact that no other persons, but those who possessed that particular franchise, should have a vote in the government of corporations, they would be raising a feeling of hatred and jealousy against those persons, as being the monopolizers of all power in their respective towns, to the exclusion of other individuals. Those who were what might be called the permanent rate-payers in a town—those who inhabited, were perfectly qualified to choose the individuals who might represent them in the common-council or the government of the town. Besides, those rate-payers did directly contribute to the expenses of the town. They

would by the proposed bill be obliged to pay the borough rates, and, according to the established practice of the English government, and the acknowledged and recognised principles of the British constitution, he thought it fair, right, and proper, that they should have a voice in the election of those by whom the rates were made, and by whom the corporate funds were expended. As, however, the electors ought to be the permanent, settled, and fixed inhabitants of the town, known to contribute to the rates, it was proposed that they should be persons who for three years had been rated to the relief of the poor, and had regularly paid those rates. Provision was also made in the bill for the case of those individuals who for a short time might have omitted to pay their rates. In regard, again, to the governing body, there was to be one body only, consisting of a mayor and common council. The common councils would consist of various numbers, generally regulated by the population of the different places. Their numbers would vary from fifteen in the smallest places, where the population amounted to about 2,000 persons, to ninety in the largest. With respect to the larger towns, there were only twenty, the number of inhabitants in each of which exceeded 25,000; and it was proposed that they should be divided into wards, and a certain proportion, which would be regulated by the schedules to the bill, of common-councillors should be chosen in each ward. In all the rest of the boroughs, amounting to 162, the whole common council would be elected together. It was proposed, that the members of the common councils

should be elected for three years ; but that one-third should go out of office every year, thus taking care that, at all events, two-thirds of the common council should have experience in the transaction of town business. It would be provided, that the mayor should be annually elected by the council, and that he should be, during the time of his mayoralty, a justice of peace for the borough and likewise for the county. It was not intended to propose any qualification either for the mayor or for the members of the corporation ; the town-council would have the power of appointing a town-clerk and treasurer ; and it was not intended by the bill to oblige the different town-councils to retain the present town-clerks in their offices. On a new town-council being elected, and wishing to lay down new rules for the management of their own affairs, it was necessary that they should have a person in the capacity of town-clerk in whom they could place confidence and who would not be found to thwart them in their object. At the same time, whenever pecuniary loss to the individual would follow the dismissal from office of the town-clerk, in such cases where compensation could be fairly demanded, means were provided for fixing the amount of compensation.

All the old modes of acquiring the freedom of a corporation, such as birth, and apprenticeship, were to be abolished. All pecuniary rights, such as rights of common, exemption from tolls, &c., would be preserved to the persons now enjoying them during their lives ; but, in future, no person should be a burgess, or admitted into the corporations, except in consequence of the permanent occupancy of a house, and the

payment of the borough rates. The bill likewise proposed to abolish all exclusive rights of trade, due regard being paid to the pecuniary interest of existing individuals. For instance, an inhabitant in Exeter, not belonging to the corporation, paid every year 100*l.* for certain tolls, while his next-door neighbour, in consequence of being a member of the corporation, had to pay no toll at all. It was not intended to infringe upon a pecuniary right of that sort ; but it was proposed, that in future none of these exclusive rights or exemptions should be granted.

Touching the pecuniary affairs of corporations, which formed the most important of their functions, it was proposed that town-councils should have the power to appoint committees, in order to manage their financial affairs, that their accounts should be regularly audited, and that they should be regularly brought before the public, and be no longer secret accounts. Another portion of the funds of these corporations, which had been scandalously mismanaged, consisted of estates placed at their disposal for charitable purposes. It was enacted by the bill that the town-councils should become the trustees of those charitable funds,—appointing, if they chose, a committees to manage them. For the management of these funds a separate secretary and treasurer should be appointed, and provision was made for auditing them in a different manner from the general accounts of the borough. The number of persons chosen for the management of these charitable estates would not be less than fifteen, and they were not to be chosen from the council, but from among the general body of burgesses of the town ; because it

might happen that persons who dislike to accept of any corporate office, or to interfere with the municipal duties of their town, might, by their habits of business and by their knowledge of matters of charity, be fit and proper persons to have the management of those charitable funds. The police, so far as regarded the watching of the towns, was to be placed completely under the control of the town-councils. The power of granting alehouse licenses was not to be vested in any magistrate; for it was not thought right that it should be mixed up and confounded with the duty of administering justice. It would, therefore, be left to the council, or to a committee of the council, to grant these licenses. Though, doubtless, many of them might desire to favour their friends and to do their own private jobs, yet, on the whole, being under the control of popular election, they were less likely to abuse the power of granting licenses, and less injustice would be done, than if the power were vested in the magistrates, and the robe of justice were in some degree permitted to cover the enormity of the wrong committed.

The administration of justice was thus provided for. It was proposed to divide the 183 boroughs into two schedules. The greater portion of these would be put into schedule A, which would contain 129, and to these a commission of the peace would be granted. The remaining fifty-four might have, if they chose, a commission of the peace on application to the Crown. With respect to the 129, the town-councils were to have the power of recommending to the Crown certain persons whom they thought proper to receive the commission of the peace within the borough;

but they were not to have the power of electing magistrates, in such sense as that the assent of the Crown should not be necessary to perfect the election. These magistrates would not have the power of sitting in quarter sessions; but as there was a considerable number of these boroughs of the largest size, in which it might be proper to have a court of quarter sessions, in which, indeed, there was a court of that kind already established, and in which there was a recorder perfectly fit for his situation, the bill enacted, that, on a town-council applying to the Crown for the establishment of a court of quarter sessions, and stating that they were willing to continue the salary paid to the recorder, the recorder should be retained; but such recorder must in every instance be a barrister of five years' standing. Therefore, in those towns, where there was now a barrister of five years' standing acting as recorder, and the town-councils declared that they were satisfied with the administration of justice by their recorders, they might remain in office, and the quarter sessions be continued. With respect to other towns desiring to have quarter sessions, but which either had no recorder, or where the recorder was not a barrister of five years' standing, it was intended that the Crown should in future have the nomination of that officer.

Sir R. Peel stated that, reserving all consideration of the details, every one of which deserved a separate discussion, he would present no impediment to the introduction of the bill. When he looked at the state of the population of the larger towns in this country, and at the rapid manner in which places that, at no remote period,

were inconsiderable, had, by means of manufacturing industry, started as it were into life, and arrived at a pitch of great wealth and importance; and when he saw that no provision was made for the maintenance of order and the administration of justice in those towns, he could not deny that the time had arrived when it was of the utmost importance to the well-being of society to establish a good system of municipal government in places which at present were destitute of that advantage. He was bound to state that, on account of the change of circumstances, and that alone, he thought there was ample ground for considering whether provision ought not to be made for the maintenance of order and for the due administration of justice in towns which now had not corporations, and whether the provision made for those purposes in towns which had corporations was adequate. He was also bound to state, that, on referring as fully as he had been able, under the pressure of other important matters, and, since it had been laid before the House, to the report of the corporation commissioners, the impression created upon his mind—independently of the considerations to which he had just adverted—was, that the general purport of the evidence showed, that the time had also arrived when it was necessary for Parliament to interfere for the purpose of providing some effectual remedy for the abuses which had been pointed out. He had no hesitation in expressing an opinion that Parliament had a right to require, by laws to be now passed, that the funds of corporations should, except when devoted to special purposes, be fairly applied to public

purposes connected with the good of municipal government; and if he were a member of any corporation, so far from looking at this question in a narrow party light, he should feel a much greater interest, a greater direct personal interest, in seeing corporation funds applied to public purposes than appropriated to any system of private or public feasting. He must say, however, that he thought the course pursued by the commissioners had not sufficiently referred to what was the existing principle of the law in conformity with which corporations had acted; viz., that they had a right to apply their funds to other than public municipal purposes. The report of the commissioners was liable to objection on another ground; namely, that it did not point out the cases in which corporations had acted honestly in the performance of their trusts, but involved all in indiscriminate censure, on account of the alleged misapplication of their funds. With such opinions, it could not be supposed that he would suggest delay from any party purposes; and therefore he hoped that ministers, if they did not find on his side of the House that indisposition, which probably they apprehended, to discuss this question fairly, without reference to party feeling, but solely with the view of providing a good system of municipal government, would feel that upon a subject so important—so much more intimately connected with the peace and happiness of the inhabitants of towns than even the reform bill itself—it was their duty to afford the most ample time for the consideration of its details. He would earnestly advise all corporations to relinquish willingly all the advantages which they might

gain by the application of corporate funds, to such purposes as had been pointed out, provided only that the ministers would honestly execute that which they declared to be their principle—namely, to guard, as far as possible, against the transfer of abuse from one party to another. He would join them in a sincere and honest attempt to found a good system of municipal corporations; taking such securities as they could for placing in the offices, which were to have the control of the corporation funds, the really intelligent and respectable members of the community, and guarding against the application of those funds, particularly charitable funds, to any improper purposes. He did not deny that they had been misapplied, but he was quite sure that it would be no compensation to the public to transfer the abuse from one party to another. He would willingly co-operate with any party in passing a measure which would prevent the recurrence of the evil in future, and insure a *bona fide* application of corporate funds. This object could not, in his opinion, be fully effected without placing the election of officers in a material degree under popular control. What should be the limits of that control was a point which he would not now enter upon. If he or others should ask for delay, it would not be from any dishonest purpose; but when they were about to settle this most important question, and to confer power which, once given, it would be difficult to recall, it became them to consider all its details with the utmost deliberation and caution. Thus the very question—what ought to be the franchise—was, itself, a question of immeasurable importance.

On the 15th of June, the bill was read a second time without opposition. There was no debate upon its principle; its only principle being, that municipal government should be subjected to some degree or another of popular control. That was a principle which all parties in the House conceded, and the passing of the reform bill had rendered its application unavoidable. What ought to be the qualifications of the electors and the elected, and what the powers of the bodies now to be constituted, were questions, every one of which might involve principles of mighty moment to the well-being of the community, but, in relation to this bill, they were questions touching the fitness or unfitness of its particular arrangements. All the discussions, therefore, were reserved for the committee.

The Committee began on the 22nd of June, and terminated on the 17th of July. The first disputed point that arose regarded the fixing of the boundaries of those boroughs, whose limits had not been defined by the act passed for that purpose in reference to the reform bill. The bill provided “that they should be and remain as the same are now taken to be, until such time as his majesty shall have been pleased to issue his letters patent under the great seal, that he may be certified concerning the fit metes and bounds to be allotted unto the same respectively, and until such further time as it shall please his majesty, by advice of his privy council, upon inspection of the return thereof made by the commissioners unto whom such letters patent shall have been directed, to declare fit metes and bounds of the said last-named boroughs, and the metes and

bounds of the said last-named boroughs thenceforward for the purposes of this act shall be the same so declared as last aforesaid." Several members objected to this provision as placing a dangerous power where it ought not to be placed. Sir Robert Peel said, he was ready to consent, as there was no wish to delay the bill, that the boundaries of the existing boroughs should continue as they were, until they should be otherwise settled by parliament; and lord Dudley Stuart, although a friend of the ministry, moved an amendment to that effect. In support of it his lordship, sir James Graham, Mr. Goulburn, and other members, argued, that the clause gave the crown a power which the crown ought not to possess, and devolved upon the executive duties which clearly belonged to the legislature. In truth it gave the crown the power of saying who should be taxed and who should not. By the bill, the town-councils were to have authority to tax their borough, and to make a rate in the nature of a county-rate. This clause enabled the crown to say on whom the tax should be levied; and why should the House of Commons devolve upon the crown the right of selecting particular districts for a particular species of taxation? The ministers answered that it was not to be supposed any government would make a bad use of the power thus conferred; and if the question of the boundaries was allowed to remain unsettled, while other portions of the bill were to come into force, much inconvenience and some injustice would arise. If, again, the operation of the bill was to be suspended till parliament had fixed the boundaries, that would be to

continue for another year a system which the House admitted to be bad. That a different course had been followed with the reform act, was true; but it behoved the House to use stricter vigilance with regard to the boundaries under the reform act, as they related to the elective franchise, than with respect to the municipal boundaries, in which municipal privileges only were involved. Besides, the facility of fixing the municipal boundaries was greater now than it was before the passing of the reform act. They had the reports of the commissioners under the reform bill, not, indeed, in such a state as to legislate upon them, but still in such a state as would preclude any unfair exercise of this power by the crown. Lord John Russell had no objection to add words to the effect, that, his Majesty having appointed a commission to settle the boundaries, the report of that commission should be laid before parliament at its meeting, and the boundaries therein named should be and remain the boundaries of these boroughs, unless parliament should otherwise decide: but sir Robert Peel remarked, that this was conceding nothing, as he apprehended this was a power which parliament would not doubt its right to exercise even without such words. Lord Dudley Stuart pressed his amendment to a division, when it was lost by a majority of 87; viz., 259 against 192.

A much more important discussion took place on the clause which affected the rights of existing freemen, and the modes of acquiring the freedom of the corporation in future. It enacted, "that after the passing of this act, no person shall be elected, admitted, or enrol-

led a citizen, freeman, liveryman or burgess, of any borough, or by any name a member of any body corporate in respect of any right or title, other than by occupancy and payment of rates, within such borough according to the meaning and provisions of this act."

Sir W. Follett observed, that by this clause, those who had an inchoate right to their freedom were to be deprived of all the rights, privileges, and property which they had reason to expect they would enjoy; but, moreover, every person now possessing an inchoate right to his freedom would, by this municipal bill, be deprived of his parliamentary franchise. As to property, the framers of the bill seemed to have been ignorant of the nature of many of the trusts vested in corporations for the behoof of the freemen. In Coventry, for instance, there were estates left by Sir T. White, on trusts under which every freeman was entitled on entering business, to a sum of 50*l.*, which he might hold for nine years, and every needy freeman was entitled to a sum of 4*l.* Moreover, there was an endowed grammar-school with an income of near 900*l.*, and every freeman might send his son to that school free of expense. Estates, too, had been left upon the terms that the trustees were to bind out the children of freemen in certain places. The apprentice who had completed his servitude was entitled to all the rights, privileges, and property he had mentioned; was it the intention of ministers to take from them these rights, privileges and property? What, under the provisions of the bill, did they mean to do with that charity? They meant to destroy the freemen. They had charities which, by the will of the donor, were

specifically given to freemen in some towns, to the wives, children, or widows of freemen in other towns. What, then, were they to do with these charities? Was it intended to make these charities revert to the donor, or to apply them to the general purposes of the corporation? This was the first question. The next was, had they the right so to appropriate them? In many cases the property was not left to the corporation; sometimes it was left to an individual in trust, who was not of the corporation, sometimes to an individual who did belong to the corporation, but always in trust for specific purposes: yet they now determined on depriving of all their inchoate rights men who were serving their apprenticeship, and were entitled to their freedom at its conclusion. Nay, they even said to the existing generation of freemen, that they were no longer to enjoy their rights. This clause, therefore, ought to be struck out of the bill. It had nothing to do with the bill. He did not interfere with the ministerial creation of the new corporate body; he did not propose that any person should be admitted into it who did not possess the qualification required by the bill. His object was, that freemen now existing, and persons having inchoate rights of freedom, should continue to hold their property, and that it should be distinctly understood that their right of voting was to be maintained as secured to them by the Reform Act. One principle of the Reform Bill was, that freemen should retain their franchise; yet here was a clause, which any man, not a lawyer, might pass over, which at once disfranchised them all. If there was any charge of misconduct against freemen, as parlia-

mentary electors, why not bring it forward openly as a ground for their disfranchisement? It was said they had taken bribes since the Reform Bill. Then why not bring in a bill to disfranchise those who had done so? In all, or nearly all the cases of bribery which had occurred since the Reform Act, the offenders belonged to the constituency which that Act had created. In the very last Parliament, bills had passed the House against two boroughs for bribery, where the majority were scot and lot voters—Warwick and Hertford. Even in the case of Stafford, the committee reported that they had found corruption to prevail to a very considerable extent among the electors created under the new franchise. Yet on such an allegation the freemen were to be sacrificed, while others as bad were to escape. The avowed object of this bill was, to improve corporations; why should it be made a bill to disfranchise parliamentary electors? It had not been said to the freemen, at the time of passing the Reform Bill, and when many of those who passed it had received their seats from freemen, that their sons would not have the right of voting, and would not even enjoy the benefits of the property to which, as freemen, they were entitled? The framers of that bill were silent on these points; but now, under the pretext of improving municipal government, they deprived freemen of all the advantages secured to them by the Reform Act. He therefore moved an amendment to the effect of preserving the rights of the freemen, without interfering with the municipal government of corporate boroughs.

The government opposed the amendment vehemently. The

attorney-general, forgetting that the amendment left the freemen still excluded from the new governing body in the corporate boroughs, maintained it would be a curse to leave power in the hands of "these poor, wretched, degraded, demoralized freemen;" and he contended, as a lawyer, that freedom, unconnected with property or with residence in a borough, had been an usurpation! Much stress had been laid on cases where members of corporations, as such, had become entitled to property; but it was well known that, in a vast number of instances, they had obtained such property by usurpation, and that, instead of applying it to corporate purposes, they had diverted it to their own purposes. The objection to the abolition of the elective franchise seemed to rest chiefly on some implied compact, assumed to have been made on the passing of the reform bill. The reform bill had not touched this question. It left the question of freemen open, and in continuing to freemen the right of voting for members of parliament, it only said, that as long as freemen were allowed to continue, they should have certain rights; but it was never said or pretended that the hands of parliament should be tied up, so as to prevent it from making any change which might be deemed necessary in future. These freemen were not necessarily resident in the borough. They need not possess any qualification as to property—they need not pay rates, and, for anything which existed to the contrary, might pass the greater part of the year in gaol, and then come out and give their vote for a member of parliament. The consequence was, that in this degraded state they

were open to all sorts of corruption. As far as respected the rights of property, he was willing that where the *bond fide* right to property existed, it should be respected; but there was no general public measure which, as it affected the interests of some individuals, might not be considered a hardship.

Various members accustomed to go with the ministry, declared their intention to vote for the amendment. Mr. D. W. Harvey said, the clause would destroy, in a short time, half the constituency of the country. In Colchester it would reduce the electors from 1,250 to 500, and in other boroughs it would bring them down to 300 or 400. Mr. W. Williams, member for Coventry, stated that there it would at once strike off 1,000 from a constituency of 2,500. Sir James Graham treated it as an imprudent, because an indirect, attack on the reform bill. He admitted that it was with the greatest reluctance that he, as a member of earl Grey's government, had consented to the change in the first reform bill, which extended the right of voting as freemen beyond the lives of the freemen who then enjoyed it; and he did not mean to contend that any arrangement then made was to be permanently binding upon the government. But he would say to his former colleagues, "Beware, if you were sincere in your avowal of your determination to resist further change; adhere to the compact which, as members of the government of earl Grey, you acquiesced in, honestly, as I believe, because it smoothed the way to the settlement of the great question of reform in parliament. Beware—be cautious—and, above all things, set not the example of

a hasty and premature departure from it" He held that the present clause was an unnecessary departure from that solemn compact, and it was worse than that—it had a damning vice about it—it was an indirect departure from it. If they intended to raise this question, they ought to raise it directly, manfully, and avowedly, by introducing a bill to correct and amend the reform bill; they ought to raise it in a manner which would afford an opportunity of being heard to those whose franchise was to be annihilated by it. He denied that, since the passing of the reform bill, any material new facts had been discovered respecting these unfortunate freemen. If the facts regarding them were notorious, let them be brought to light; if the reasons were convincing, let them be stated in introducing a direct and avowed measure upon the subject. In the mean time, he thought it would simplify the question, if the amendment were limited to the rights of freemen under the reform bill, because the question of inchoate rights would arise more properly under another clause: and to this suggestion sir William Follett acceded.

Lord John Russell, however, still resisted. The provision contained in the clause was, he maintained, a necessary consequence of adopting this new municipal franchise; and if so, ministers were not proposing it for the sake of altering the reform bill, but for the sake of amending the municipal corporations. The alteration, which he did not deny was a great alteration in the franchise under the reform bill, was but a consequence which it was difficult, if not impossible, to avoid, when they came to define

the new municipal franchise. If the freemen were worthy to be burgesses of bodies corporate, keep them as bodies corporate; if they were fit to exercise the elective franchise for members of parliament, why agree to that part of the clause which deprived them of the right of voting for the election of the mayor and council? If those freemen were not a proper body, and if by the sixth clause of the bill a better constituency for governing the municipal boroughs was formed—for what end preserve a body of men who existed only by corporate rights, and yet were to exist for the future for purposes totally separate from corporate rights? He was far from saying that you ought to introduce a special act for the disfranchisement of freemen; but if, on the other side, you preserve those freemen for the purpose of electing members of parliament, you do that which is likely to prove injurious to the parliamentary right, and also to the municipal corporation. The amendment said, that the clause must not affect either the rights of property or the privileges to which the freemen were at present by law entitled. Now, many of these rights and privileges were of a description most hurtful to the inhabitants of the town generally. Many of them consisted in a monopoly of trades in the town; many of them in an exemption from tolls to which the inhabitants generally are liable. The government had proposed a machinery for the reformed corporations, by which the mode of electing the mayor and council was clearly laid down. But how were they to provide for a body of freemen who belonged to no corpora-

tion, and who were only kept up for the purpose of receiving charities and of exercising the parliamentary franchise? Preserve them, and what would be the consequence? If you create your new municipal body, and place by its side another municipal body, claiming monopolies and receiving charities, you would be promoting a constant rivalry between the two bodies; you would be depriving the new corporate government of the authority which it ought to possess; you would have a constant struggle between the old corporation and the freemen on the one side, and the new corporation on the other; and thus good order and harmony, and their general result—good government in the town—would be, to a great degree, endangered, if they were not entirely destroyed.

Lord Stanley could not see how this clause came to appear in a bill which professed to be a measure to provide for the regulation of municipal corporations in England and Wales. He did not contend that the body of freemen was pure and immaculate; he believed that no body of electors could be found who uniformly deserved that character; but, be the freemen pure as perfection itself, or foul and base as they had been represented by the Attorney General—be they fit altogether and exclusively to exercise municipal functions, or unfit to be intrusted with them—to those functions it was not now proposed to admit—from those functions it was not now proposed to exclude them. They were not now discussing the admission of freemen to municipal bodies—the only point which they ought to be discussing, if any, in a bill like the present—and therein consisted the

anomaly and indirectness of the proceeding—the point, after all, was simply this—whether the freemen were unfit to exercise, not a franchise that was to be conferred on them by this bill for municipal purposes, but a different franchise, permitted in a bill passed for other purposes. The fitness or unfitness of the freemen to exercise a political franchise was not the question which they should now be discussing, for the whole principle of this bill, as represented by ministers themselves, entirely proceeded on the separation of the municipal and political franchise; the home secretary having laid it down plainly that he did not seek to establish identity, but difference between the municipal and political franchise. But the bill, assuming to regulate only the municipal, extended to the political franchise and did that indirectly, which, if it were to be done at all, ought to be done directly and openly. He rested his support of the amendment on the grounds—first, of the political rights of the freemen having been voluntarily guaranteed, as ministers themselves had admitted, for the purpose of facilitating the passing of the great measure of parliamentary reform; and next, because he thought, if that measure of reform was sought to be rescinded, the fair and manly course was to rescind it openly, not by means of a bill professing to be for the purpose of giving or taking away municipal rights, but by a measure with an avowedly political object.

Mr. O'Connell, on the other hand, inveighed against the corruption of the freemen—a class of dependent voters whose suffrages were not their own. Before the passing of the reform bill, there were two descriptions of franchise, one arising

from property, and the other municipal rights. By the first reform bill, the latter was thought, and justly thought, so inconsistent with a pure system of representation, that it was entirely extinguished; and lord Stanley and sir James Graham were parties to that extinction, notwithstanding which they now defended those municipal political rights as most valuable privileges. What had occurred since the first reform bill to re-establish the character of these privileges? The freemen had not done themselves much honour at elections since 1831; and the house had the report of the corporation commissioners, showing the gross corruption that prevailed among them. What was it proposed that the franchise of the freemen should be hereafter? Neither a municipal franchise, nor a franchise arising out of property, but a third and nondescript species of franchise beyond and out of the spirit of the reform bill,—a frightful anomaly, keeping up a set of men who might be conveniently bought and sold. Talk of a bargain with the House of Peers, to pass the second reform bill on the ground of preserving the rights of freemen! What ought the House of Peers to have to do with the representation of the people in the House of Commons? Talk to him of preserving constitutional principles after that! Was it right that the Peers should keep part of their power over the Commons through these very freemen—keep this influence for their own benefit as a compensation for passing the reform bill? The people would understand that the object of this proposition was to continue a nomination by the power of the purse—by corruption. The amend-

ment was an indirect attempt to get rid of the bill—an attempt to weaken its provisions, to degrade it in the eyes of the community, to create a different franchise from that originally intended, and to make this measure, which otherwise would be the harbinger of peace, another and a fruitful source of discontent and depression.

The committee having divided, there was a majority of forty-four in favour of the original clause; 278 having voted for it, and 232 for the amendment. The majority was composed almost exclusively of Irish and Scotch members.

The question, however, was again raised by Mr. Praed, member for Yarmouth, who moved the following amendment:—
“ Provided always, and be it enacted, that in every borough, whether the same be a county of itself, or not, where the right to vote in the election of members or a member to serve in parliament for such borough is, according to the laws now in force, enjoyed by persons entitled to vote in virtue of some corporate right, nothing whatsoever in this act contained shall in anywise hinder or prevent any person or persons who now enjoy, or who hereafter according to the laws now in force might have acquired, such corporate right, from enjoying or acquiring such corporate right for the purpose of voting in such elections.”
In opposing this amendment, lord John Russell denied that he was interfering by this municipal bill with the parliamentary franchise; he was not enacting that freemen in future should have no vote for members of parliament; he was only enacting that in future there should be no freemen at all, and therefore, though there would

no longer be freemen voting for members of parliament, that was only an incidental consequence of the principle that there should be no freemen, which principle, again, was brought into action not with a view to parliamentary franchise, but solely with a view to municipal government. The same sort of argument was pressed by Mr. Poulett Thomson, who maintained that if the amendment were carried, that is, if the parliamentary franchise of the freemen were retained, it would introduce a new franchise hitherto unknown—which he explained thus: Freemen had hitherto voted under their corporate rights; they enjoyed the elective franchise in common with all other corporate rights: the bill before the committee proposed to destroy existing corporate rights and to create new ones in their place: and the amendment was this, that the persons who by the bill were declared to be unfit to vote for common-councillors should have the privilege of voting for members of parliament, which was left to them by the reform act, in consequence of their being possessed of corporate rights, of which the present bill would deprive them. There was absurdity on the face of such a proposition. Even the supporters of this franchise admitted that they would not have introduced it; they defended it because they found it existing. But, in fact, said Mr. Thomson, it does not exist, for this bill destroys it.

Sir Robert Peel thought all this as great a sophism as ever was babbled. What he complained of was, that ministers did not undertake to alter the reform act explicitly and avowedly, as they ought to have done, if they be-

lieved it to require alteration, but proceeded to effect their purpose indirectly. He had always prophesied, at the moment when his friends expressed their willingness to accept the reform bill as our constitutional charter, and to abide by it, that any proposal for its modification was much more likely to come from the authors of the measure than from its opponents, and that the first provision to be modified would be one supposed peculiarly to affect the interests of the party in power. He went into a history of the clauses introduced into the reform act reserving and protecting the parliamentary franchise of the freemen, and argued that the whole course of proceeding which had been adopted, the gradual admission and extension of the privileges of the freemen, nay, the very exceptions by which they had been guarded, had held out the measure as being final and permanent. To say that this had been a compromise, an act of submission, as it were, to induce the lords to agree to the measure, and one which, therefore ought not to be persisted in, was a bad, not to say dishonest argument. If they had procured the consent of the other House of Parliament to the reform bill by preserving the rights of freemen, to recede from that stipulation was not the way to procure the consent of the lords a second time within three years. He knew that there was nothing in the reform act to fetter the legislature, but he contended, that it was the duty of the government, if they ultimately intended to alter the right of voting possessed by freemen, to have then avowed that they did not mean to "perpetuate" that privilege, but

intended to propose an alteration in it on introducing a bill for the regulation of municipal corporations. Instead of this, they had left the House of Lords, the country, and the entire body of freemen, under the impression that this was an acknowledgment and perpetuation of their right, which had received a new sanction and greater force from that reform act of which they boasted as the second charter of our liberties. The home secretary admitted, that when he passed the reform act, he intended to perpetuate by it the franchise of the freemen; and the duration of that perpetuity now turned out to be three years. These rights being so confirmed to the freemen by the reform bill, it did tend to destroy confidence in that "final settlement" when ministers were found proceeding, not by a direct and open attack, but by sap and mine, to assail privileges which had existed by long prescription, and which were confirmed by the recent enactment of 1831. It shook all confidence in the permanency of our second charter, when, within three years, so important a branch as this was lopped off under the pretence of municipal reform. They were not now inquiring, on theoretical and speculative principles, as to what might constitute a good right of voting: they were dealing with a franchise which they found existing by long prescription, and solemnly confirmed by the final measure and conclusive settlement of the reform bill. If, therefore, they now attempted to continue that right, it did not arise from any desire to indulge in vain declamations about the privileges of the poor, but from a wish to maintain that good faith which

was pledged to the "perpetuation" of the franchise. If they proceeded against the freemen on the ground of bribery and corruption, in justice to those men they ought first to establish the existence of corruptions before they punished them. It was not fair, on a general and vague presumption of bad repute, to destroy their rights. He admitted cases had been proved of freemen abusing their franchise and taking bribes; but if the argument built on that ground were good for destroying the rights of freemen, it was also good for destroying elective rights much more extensively. Were no other parties liable to the charge of corruption except the freemen? It had been clearly proved, in the case of Stafford, for instance, and in that of Liverpool, that 10% householders, and householders at a much higher rate, were, at least, equally exposed to the imputation of bribery. Poverty was not in itself a conclusive proof of a disposition to be bribed, and the House, therefore, ought not to act on a general assumption of the guilt of the humbler classes of voters, but ought to have proofs of corruption before inflicting on them such a penalty as the present.

On a division, the amendment was lost by a majority of only twenty-eight, the votes in its favour being 234, and those against it 262. The question was carried entirely by the majority of Scotch and Irish members. Among the English members, there was a majority of fifteen against the clause.

Equally unsuccessful was an amendment moved by Mr. Ponsonby, for the purpose of protecting inchoate rights of freemen, to the effect that, in any city or borough which had the right of returning members

to parliament, any person having an inchoate right to vote in right of his birth, or by having entered into any indentures of apprenticeship, should have the same privileges preserved to him as before the passing of this act. It was rejected by 234 to 203.

The bill arranged all the boroughs to which its provisions were to apply into two classes, according to their population, the larger boroughs being divided into wards. In all of them, the bill required no qualification in the common-councilmen, except that of being rate-payers. Sir R. Peel moved as an amendment, "provided such members of council, who shall be elected in boroughs divided into wards, shall, at the time of their election, be seized or possessed of real or personal property of the clear value of 1,000*l.*, or that they shall be rated on a rental of not less than 40*l.* a-year, and also provided that all such members elected in towns not divided into wards shall, at the time of their election, be seized or possessed of property, real or personal, of the clear value of 500*l.*, or be rated to the relief of the poor on a rental of not less than 20*l.* a-year." He founded his amendment on what had been the usual practice in enactments regarding corporate towns. It was quite true, that, according to ancient practice, no pecuniary qualifications were required for members of corporations, the usual words of the charters being, that they should elect "fit, discreet, and respectable" persons to fill the corporate offices: but the spirit of the charters was, that persons fit for their respective offices should be appointed; and he apprehended that even in those self-elected corporations, whatever might be their

defects in other respects, care was taken to elect persons of wealth and respectability. Many towns were regulated in their local arrangements—of police, watching, lighting, and so on, by acts of Parliament, obtained generally by consent of the whole body, or by the great majority of the rate-paying inhabitants; and in almost every case a body was selected for controlling the watching, lighting, or other local arrangements. Sometimes this body was elected by the rate-payers generally, and sometimes by those who possessed certain defined qualifications; but in all cases there was a fixed qualification named for those who were to be members of the governing body. In Manchester, it was necessary that the members of the governing body should be the occupiers of a house rated at 28*l.* a-year, or the owners of a tenement of the value of 150*l.* In the same town the electors of members of the governing body were required to possess a qualification of occupying a house rated at 16*l.* a-year, or if a publican at 32*l.* a-year. In Salford a similar principle was adopted, and in the working of this system universal satisfaction seemed to be given. All these regulations were the results of recent local acts, which were called for by the general voice, and which gave general satisfaction. In Birmingham, the qualification for the members of the governing body was being rated at 15*l.* a-year; or being possessed of 1,000*l.* in real or personal property. In Sheffield, the qualification was being rated at 20*l.*, or possessing property to the value of 1,000*l.* In Sunderland, it was being rated at 20*l.* a-year, or having 30*l.* yearly income. In Devonport, it was being rated at

20*l.* In Wolverhampton, it was rating at 20*l.* a-year, or possessing 1,000*l.* personal property. In Bilston, it was 40*l.* a-year in land, or being the son of a man worth 100*l.* a-year, or possessing 1,000*l.* in personal property. In Bolton, it was 100*l.* in real or personal property. In Brighton, it was 100*l.* a-year in houses or land, and in Oldham 100*l.* in land. In Stoke-upon-Trent the qualification for the governing body was 100*l.* in land. These were all towns which were considered to represent popular opinion.

In Stroud, the qualification of a commissioner under the local act was 100*l.* a-year in land, or being the son of a person having 150*l.* a-year, or 3,000*l.* in real or personal property. He had mentioned these cases to show that, where powers were given, such as those of commissioners, for watching, paving, and lighting, care was taken, in almost every instance, that the parties exercising those powers should have a certain qualification as to property. On asking the committee, therefore, to adhere to this course, he was not introducing any new principle. They were going to make a new governing body in corporations, and all he asked was, that they should not do away with the qualification which was usually required of every member of such body. They were going to do more than confer the mere patronage of watching and paving and lighting. Some of the corporations under this bill would have considerable patronage in other respects. They were to be in some cases commissioners of charities, and these were reasons why they should have a qualification as to property. The bill would increase the powers of magistrates in some corporations; and,

was it right that they should have lower qualifications than were now required of those who had much smaller powers to exercise? Another reason for the necessity of a qualification was, that a party was liable to a fine for refusing to serve as a member of the governing body. If a man was to be fined for refusing to accept an office, he ought to be selected from that class which could pay the fine; otherwise it would be gross injustice. What fine could be imposed on a man with respect to whom property was no qualification? He would not say that the possession of property necessarily implied respectability, but it was at least some guarantee, in the party appointed to office, for his conduct in the discharge of its duties. It was required of a magistrate that he should have 100*l.* a-year in the county in which he exercised his functions: the mayor of the several corporations under this bill would be a magistrate of the county in which it was situated: would it not in that case be necessary that he should have some qualification? Was it consistent with the principle laid down on the opposite side, that there should be no qualification for the mayor of a borough, who, being the returning officer for that borough, was liable to a fine of 500*l.*, for any neglect of his duty as such returning officer. Surely it was absurd to say, that a man who might be so fined for neglect of duty, should have no qualification as to property. The bill itself made bankruptcy and insolvency disqualifications; but if property was not to be a qualification, why should bankruptcy or insolvency disqualify? In regard to the qualification itself, he did not think it ought to go very high, and it ought

not to be the same in towns which were extensive and prosperous and in others which were small and comparatively poor. In the Birmingham bill the qualification for the governing body was 1,000*l.*, real or personal property; but it would be better to make it consist of joint qualifications; for many tradesmen might find it difficult to swear that they had realized 1,000*l.* He would therefore propose that, in towns which were divided into wards, the qualification for the members of the governing body should be, that they were possessed of an estate, real or personal, of the clear value of 1,000*l.*, or that they should be rated to the relief of the poor on a sum of not less than 40*l.* a-year. In towns not divided into wards, the qualification should be, that the town-councillor should be possessed of at least 500*l.* in real or personal estate, or be rated to the poor-rate on a sum of not less than 20*l.* a-year. Those who thought that there ought to be a qualification, might differ as to the amount: but he could not think that he had stated it too low; what he had stated was lower on the average than the majority of the cases in which local acts had been passed.

In opposing this amendment, Lord John Russell, Sir J. C. Hobhouse, Mr. Blackburne and other members, argued, that it was in contradiction with the spirit and principle of the bill, not agreeable to the provisions of the original charters, incapable of being generally and fitly applied, and not productive of any practical benefit. In no instance did the ancient charters contain a syllable about a pecuniary qualification of the magistrates of the boroughs to which they were granted. The charters, said, indeed, that "fit and discreet"

persons should be elected; but it was left to the electors to decide who those persons should be. At this moment, in the city of London, no qualification was required for holding municipal offices, or for being a member of the common council. A qualification might, properly enough, be introduced into local acts; but that was no reason why it should be introduced into a general measure like the present. Besides, where a qualification was required, it was in cases where there was no election, but where a man became a commissioner of police or watching by virtue of the property which he held; and in such cases, as there was no elector, it became necessary that there should be a qualification of property. It was otherwise when you came to the question of those who were not self-elected, but who were elected by others to act on their behalf and for their benefit. If a qualification was necessary, in order to prevent the electors from choosing improper persons, that would be an objection against the bill altogether. If confidence could not be placed in the electors, it would be better not to give them the right of election; but if they were to be trusted, it would be better not to encumber them with the restriction. The qualification would not insure the exclusion of improper persons, and the want of it would not favour them. No person of parliamentary experience could say, that pecuniary qualification had proved a *bona fide* protection against the intrusion of improper persons into parliament. How, then, could it be a protection against the intrusion of improper persons into municipal corporations? In the present state of corporations when

the municipal officers were elected for life, a pecuniary qualification might be necessary, inasmuch as they were not removable from their offices. But under the new state of things which this bill would produce, they would be removed periodically; and therefore, if the electors should happen to find that they had been mistaken in the character of those whom they had elected, they would have an opportunity of correcting their mistake by removing them at the next election. On the other hand, the want of the qualification could do no harm. No qualification was required in the members of parliament returned from Scotland; and yet those members did not yield to any in that House for sagacity, for intelligence, or for a desire to perform their duties faithfully to their constituents. The same was the case with respect to the magistrates who under the new system exercised jurisdiction in the Scotch burghs. The electors in those burghs were indeed curtailed in one of their privileges, having to provide themselves with a 10*l.* franchise, but having that franchise they were free to choose whomsoever they pleased.

The amendment was lost by a majority of 267 to 204.

On the same day (June 30), lord Stanley moved an amendment on the clause which fixed the periods of election. The bill provided that one-third of the councillors should go out of office every year; his lordship proposed that this should take place only every second year. He supported his amendment on the ground that it was necessary to prevent the councillors from becoming the mere representatives of the prejudices and caprices of the electoral bodies.

The old system of self-election, however radically bad as an instrument of municipal government, had at least this advantage, that in all matters relating to business there was a body with a character of steadiness and fixedness in affairs of business, a permanency and freedom from caprice, which rendered those who had to transact matters of business with it able to depend on the adoption of an uniform rule of action in such dealings. Now he thought that in avoiding the vices of the old system new vices might be created, and the constituency might under the present mode of election choose a body so capricious and uncertain in its conduct as to be hardly less unfit to administer the affairs of a borough than the old governing power. If the proposed plan were adopted, something like this would occur. Under the frequent elections rendered necessary by the bill, the council would be liable to adopt a capricious course of action, and the towns would be kept in a constant state of electioneering fever. And lest there should not, in the ordinary course of the provisions of the measure, be sufficient disturbance and inconvenience from the interruption of men's avocations and the unsettling of their minds, it had been determined that, upon every death that took place in the governing body, there should be an express and separate election to fill up the vacancy. Thus, in Liverpool, there were 90 councillors; they might consequently calculate on three deaths annually, and therefore three bitter political struggles. He did not dispute the propriety of giving the rate-payers the entire control over the appointment of the corporate body; but granting this, what possible ad-

vantage could there be in calling on the persons elected to appear year after year before their constituents? Besides, if they were content to give great powers to the corporate body so chosen, could they not rely upon its members for exercising their functions fairly for a longer period than that they proposed to fix? He would have been himself disposed to propose a longer period than two years, but this shorter time he proposed with the hope of gaining the support of some members who might be inclined to go thus far with him. He moved, therefore, that after the word "every" the word "succeeding" be struck out, and the word "alternate" be put in its place—that is, he altered the clause so as to declare that one-third part of the council should go out of office every second year, instead of every year, as was proposed in the bill.

On the other hand the government maintained that the amendment was inconsistent with the great principles of popular right, on which the measure was founded. The greater the power which was to be intrusted to the councillors, the greater was the necessity for giving the electors a constant hold upon them. They denied that there was any probability of the frequency of these elections disturbing the peace of the towns, for the annual elections in London produced no disturbances; and even if there should be some trouble, that would be a small price to pay for the great advantage of placing the governing body under the control of the community. The amendment was lost by a majority of 44; the votes for it being 176, and against it, 220.

Mr. Grote attempted to engraft

on this part of the bill a modification of his favourite measure of vote by ballot. He did not wish to make it imperative, in the mean time, that the elections should be conducted in this way, either in all cases or in any ; but he proposed that power should be given to the town-councils to direct that an election should be made by ballot, whenever a majority of that body should deem it proper and expedient. He thought that the protection of the ballot was more necessary in municipal than in parliamentary elections, because the electors in the former case would be, in a great degree, persons in independent circumstances. He was going no farther than sir John C. Hobhouse had done in carrying through his bill for the regulation of vestries in the metropolis, by which every parish containing 800 rate-payers had the power of adopting, at the will of the majority of the rate-payers, a mode of electing the vestry by ballot. The amendment, however, was withdrawn, and sir John Cam Hobhouse stated in relation to his vestry act, that, under it, no one parish in London had adopted the ballot.

A division likewise took place on the clause of the bill which declared that the town-clerk should be removable at pleasure, which, it was argued, would have the effect of converting a legal and professional office into a party and political office. No one, who knew any thing of the working of corporate influence, could doubt that the office of town-clerk would now be made a political office, and that the holders of it would change with the varying politics of the town-council. In many boroughs the canvass had already begun—a can-

vass among electors not yet in existence, and councillors not yet chosen. The result of such a canvass was not to be determined by the personal and professional character of the candidate, but by his politics and his party zeal. The office was to be obtained only by the man's political adhesion to the dominant party at the time being in the borough. They told him that if the borough generally changed its politics, it would be a good ground for changing the town-clerk ; and now, they in fact, offered it as a prize for political support. The appointment would be a standing job. The town-clerk would have to look anxiously to every change of politics in the council, to every the minutest change in the government. They would be laying the foundation of corruption in that which they desired to have pure. The fitness of legal appointments was to give way to political considerations, and in such circumstances every town-clerk, being a man of honour, would send in his resignation. This officer was to have charge of the records of the corporation. Surely, then, his appointment ought to rest upon a more permanent basis than the fluctuating politics of such a body as the council. It was of immense importance that he should be independent of the will of the council. His duty would be to answer all legal questions, to decide authoritatively all matters of form, and, inasmuch as the Speaker of the House of Commons was elected during the whole parliament, the town-clerks ought to hold their offices at least during their good behaviour. The answer made to this was, that the town-councils would not exercise the power

which the bill gave them, and that as the new councils would require the assistance of some person already well acquainted with the borough affairs, there was little chance of the present town-clerks being removed. Hitherto the councils had been the mere puppets of the town-clerks, but now the councils would exercise an efficient control over them. To name them during good behaviour would be to make them permanent; for nothing would be more difficult than to establish a case of misconduct against a town-clerk.

The original clause was retained by a majority of 60. Sir James Graham was equally unsuccessful in objecting to the clause which gave to the set of men who should once get into office, a formidable instrument for maintaining their predominance, by vesting in the council the power of granting or refusing ale licenses within the limits of the borough. He objected to it as inconsistent with what the government had declared to be one of the main principles of the bill, viz., keeping the judicial and magisterial functions distinct and separate. By the whole policy of our law the granting of licenses was a judicial act. This could hardly be denied, when it was considered to whom the function of granting licenses was intrusted throughout the country—to the county magistrates. It was now, however, proposed that this function should be discharged by a decidedly political body, for such the municipal councils in large towns would undoubtedly be. The justices of peace throughout the English counties, to whom the power of licensing was intrusted, were required to possess a certain

qualification; but the committee had already decided that no qualification should be required from the councillors who were to exercise the same power in large towns, where its exercise was of much greater importance than in the former case. The disqualifications, which applied to magistrates who were brewers and maltsters, would also apply to councillors in the matter of granting licenses; but would not the brewers and maltsters in large towns have their friends in the council who would job for them? Ay, and for one instance of jobbing which now prevailed in the case of magistrates, there would be ten in the case of councillors. There was no body of persons, it was further urged, who exercised a greater influence at elections than publicans; therefore, the placing of this power in the hands of the council would be clothing them with a very great political influence. It would be just the thing to lead to a corrupt system. The magistrates were the best persons to exercise the power, and it should remain in them; but if it was to be removed, the town-council were the very last to whom it ought to be transferred. The town-council would have to grant the licenses to the very individuals whom they would have to look to for their re-election to office; and they would both grant and take away licenses for the very purpose of securing interest for their re-election. All persons might be supposed liable to abuse this power, but certainly the magistrates were the least likely to lend themselves to malpractices. The original clause, however, was retained by a majority of 45.

Every effort to alter the bill

having thus failed, the labours of the committee were finished, and the report received, on the 17th July. On the 20th the bill was read a third time and passed, without any further division ; its opponents leaving

it to the House of Lords to accomplish those ameliorations in its enactments, which the union of Whigs and Radicals had rendered impossible in the House of Commons.

CHAP. X.

The Municipal Bill in the House of Lords—Petitions against the Reports of the Municipal Commission—The House decides to hear the Corporations by Counsel against the Bill—Counsel heard—The House resolves to hear Evidence in support of the Petitions—Evidence heard—The Bill in Committee—Clauses inserted preserving the rights of Property and Parliamentary Franchise of the Free-men—Amendment requiring a Qualification in the Town-councillors carried—One fourth of the Town-council declared to be Councillors for life—Other Amendments introduced in the Lords—Amendments of the Lords considered in the Commons, and the principal alterations agreed to—The Amendments of the Commons agreed to by the Lords with some exceptions—The Commons pass the Bill as finally returned from the Lords.

ALTHOUGH the commission of inquiry into Municipal Corporations had been issued ostensibly for the purpose of ascertaining what evils existed and what remedies should be applied, the Reports of that commission had been very little referred to in the discussions in the House of Commons: the bill was there supported as being founded on assertions of general principles which were right and proper in themselves, without reference to any particular inquiries. It would have been in vain, therefore, to have sought to make out that the reports of that commission were imperfect, partial, and erroneous: the answer would have been, that it was right and proper that municipal governors should be elected by the householders, and that the fact of their not being so elected was all that was necessary to justify the bill. The parties, there-

fore, whose conduct had been condemned by the report, or whose interests were attacked by the bill, betook themselves to the House of Lords. On the 28th of July, the day fixed for the second reading, petitions were presented to their lordships from Coventry, Doncaster, Lancaster, Worcester, Lincoln, and other corporations, praying to be heard against the bill by counsel, and from Bristol and Liverpool, praying to be heard against it by their respective recorders. They all complained of gross and grievous misrepresentations in the reports of the commission. It was moved that the petitioners should be heard by counsel. Lord Melbourne opposed the motion, and at once let out the true character of the measure, and threw the commission and its reports overboard. The bill, he said, was one of general policy, and was not

founded on the reports of the commissioners. Its object was to put an end, on general principles, to a system which created dissatisfaction, impeded the prosperity, and threatened the peace of various cities and boroughs. It was in some respects like the reform bill, which had affected the rights of all classes of the community, by disfranchising some, by enfranchising others, and by depreciating property. Yet that bill passed without any motion being made that counsel should be heard. Another bill there was which was very similar to the present—namely, that in 1833 for the reform of the Scotch burghs—many of which, such as Glasgow and Edinburgh, possessed great property, and in which most extensive commercial interests were involved. Yet neither in that case was there any proposition made to have counsel heard at the bar; nor if it had been made, would it have been attended to. Nor was there any such proposition in the case of the 40s. freeholders. Therefore there was no ground for hearing counsel on the present occasion, unless, indeed, their lordships wanted to defeat the bill by delay. If they wished to give the measure a *bona fide* consideration, and to afford it that fair play which its own great importance and the wishes and anxiety of the people of England fully entitled it to, they would refrain from hearing counsel at the bar. He assured their lordships that he held them in the utmost respect—that, casting aside all idle clamour, he believed and knew that their authority was well fixed, their dignity well assured, their rights and powers well and permanently settled; but however great and undoubted might be their dig-

nity, their powers, their rights and authority, it was impossible that in these times they could be so fixed, assured, and settled, that they could afford to trifle with them or to trifle with such a subject. Therefore he implored their lordships to go into the discussion of the bill at once. If they heard one corporation at the bar, they would be obliged to hear another, and so on, until at last they would be obliged to concede the equally just claims of individuals to be heard.

The duke of Wellington, lord Lyndhurst, lord Wharncliffe, lord Mansfield, and other peers, maintained, that it would be a denial of justice to refuse to hear parties against a measure which so deeply affected not only their interests, but their character. These parties asked permission to defend themselves against charges brought against them in the report of the commissioners, involving neglect of duty and actual breach of trust. The very preamble of the bill stated neglect of duty and abuse of power as the foundation of the measure; and according to the plainest principles of justice, the parties so accused were entitled to have an opportunity of defending themselves. If the case had been that of a single corporation, would any man venture to say that the privilege of being heard at the bar could have been denied? and when the victims became numerous, did the sweeping and comprehensive nature of the wrong affect the claims of justice? It was ridiculous to insinuate that the object in view was delay. This was not a measure, to which any man would think of opposing mere procrastination; and if ever there was a question on which a body of men

had evinced their anxiety to proceed with the greatest possible celerity that was consistent with safety, it was the present question. In point of fact, the evidence on which they were to legislate had only been for a few days on their lordships' table, so that not one in ten of their lordships had been yet able to peruse it; and it might even be that many of them had not yet received the last report. Notwithstanding this, not the slightest desire had been displayed to delay the discussion on the second reading or the subsequent proceedings upon the subject. The duke of Wellington said, he was ready to consent, in order that there might be no delay, that, supposing the House agreed to the second reading, counsel should be heard on the question of going into committee. He was ready to commence the discussion on the following day after the arguments of counsel had been heard; the charge made against every body who might think that the corporations should be heard by counsel, of wishing to cause delay was unjust, and he would go a step further and say that it was not quite founded in fact. Their object was to offer no unnecessary delay, and to extend equal justice to all men. But as to the question of going into committee on this bill, it could not be entertained. It could not be expected that anybody could be prepared to do so for some days.

Lord Brougham had no objection to counsel being heard, provided the matter were so arranged as to prevent that hearing from becoming interminable, which it necessarily would be, if counsel were to be heard in the individual cases of 200 corporations. If all the corporations agreed to consoli-

date their opposition, the affair would be quite simple; two counsel might state all that was to be stated for all of them. It was in this way that, by good management, counsel had been heard on the question of the abolition of slavery without undue delay. He would not object, therefore, to have two counsel heard concerning the principle of the bill; but he protested against any proposition which would admit of all the corporations being heard separately by counsel, and which would thus get rid of the bill by a side wind. Lord Melbourne, too, now expressed his readiness to accede to the proposition on the same terms, if a fair and reasonable limit were placed to the hearing of counsel, and if the object did not appear to be to delay the progress of the bill. The bill was then read a second time *pro forma*; it having been agreed that counsel should be heard, and that the principle of the bill should be discussed on the motion for going into committee.

On the 30th July the hearing of counsel began, and was continued on the 31st and on the 1st of August. The two gentlemen who appeared for the corporations were sir Charles Wetherell and Mr. Knight. It would be out of place to give even an abstract of their speeches. They insisted largely on the general character of the bill, as putting an end to all rights enjoyed under any corporate charter in the kingdom, a forfeiture which they maintained it was tyrannical and contrary to the spirit of the law of England to inflict, without legal inquiry and conviction. They attacked the reports which had been made by the commission regarding the different boroughs, and claimed

a right to tender evidence in order to prove the ignorance and partiality with which the corporations had been treated. This was the most sweeping bill of pains and penalties that had ever been proposed. It not only stripped every corporator of his franchises enjoyed under royal charter, but it stripped whole classes of men of valuable patrimonial rights, and transferred the management of trust funds, bequeathed by charitable individuals, to trustees to whom the donors would never have consented to commit them. The bill annihilated 185 corporations, many of which had existed for centuries. The law of election and appointment was to be completely altered; the officers in the existing corporations were *ipso facto* to go out, and their re-appointment was to be left to the discretion of the democracy which was to succeed to their vacated seats. The lower, the less-educated classes of the community, would become invested with all the powers, rights, and functions which at present by law belonged to all the community. All the charity funds and estates of existing corporations would be placed under their control. Every officer, high or low—every functionary, eminent or humble, would be displaced as soon as the bill passed. This bill, which had received the sanction of the House of Commons, deprived these persons, officers of existing corporations, of their offices; and the number of recorders alone, who would thus lose their judicial rank, would be 148. But there were many other officials—town-clerks, chamberlains, and treasurers, all valuable appointments, and in which they had a freehold. They were, indeed, to receive compensation. But what

compensation? Only such as the Lords of the Treasury, without any appeal, were prepared to give. The annals of confiscation and disfranchisement presented nothing equal to this. Their clients, therefore, were entitled to know of what delinquency they had been guilty, thus to forfeit their franchises and patrimonial rights. Above all, they were entitled to know why they were selected as objects of punishment, while others escaped; for the pretext that the bill was not one of individual correction, but of general political arrangement, was untrue. Ninety-nine municipal corporations were left untouched by the bill; and some of them were more populous, and were therefore fitter objects of general regulation than others which the bill struck down. The council insisted that there must be proof of delinquency—of “abuse and neglect,” which the preamble of the bill alleged to have existed. If these statements were not true, the penalties of the bill ought not to be inflicted. The constitutional law of England allowed no other course. Forfeiture without delinquency was tyranny, whether exercised by the Crown, or the increasing usurpations of democracy. The commission had been appointed for the very purpose of ascertaining whether that delinquency existed; the commissioners reported that it did exist. The corporations were before their lordships claiming their indubitable right to contradict what sir Charles Wetherell termed “the garrulous trash and ribaldry, the gipsy jargon” of the report. The corporations were there prepared to prove that these commissioners—the mere instruments of the ministers to favour party views—had

acted absurdly and unjustly, and had returned reports not only erroneous and defective, but utterly unfounded, distinguished by nothing but the most glaring and indefensible partiality in favour of the political party of themselves and their masters.

The argument of the counsel having been concluded on the 1st of August, lord Melbourne gave notice that he would oppose any motion for allowing evidence to be adduced in defence of any of the corporations; and a very strong sensation was produced on the House, when his lordship, being urged to produce the evidence to which the commissioners referred as justifying their reports, stated that he did not believe it existed in such a shape as would enable him to lay it on the table.

On the 3rd of August, Lord Melbourne having moved that the House should go into committee on the bill, the earl of Carnarvon moved as an amendment, that evidence should now be taken at the bar of the House in support of the allegations of the several petitions. Lord Brougham considered this proposal as calculated merely to waste time, and disappoint the just hopes of the people of England. The only use of evidence would be to show that no change was necessary, or that an increase of popular control over municipal corporations was not the proper way of reforming; but both of these points were conceded even by the opponents of the bill. Neither was there any inconsistency in having heard counsel, and yet refusing to receive evidence of the allegations which they had made; for the propriety of receiving evidence depended entirely on the nature of these allegations.

It might have been different if it had been offered to be proved that no abuse existed, that no one statement made by the commissioners was true in point of fact, and that neither this nor any other remedy was required, because there were no evils to be cured. But nobody had stated the case so high. On the question of the abolition of the slave trade in 1807, counsel had been heard against the bill, on behalf of the planters. They then tendered evidence, but their application was refused.

Lord Lyndhurst maintained that lord Brougham misunderstood this precedent of the slave trade. It was true that, on that occasion, lord Grenville had opposed the reception of what was tendered as evidence, but he had done so on the ground that it was not evidence. The counsel who tendered it said, that, from the long period during which the governor of the island had been in Jamaica, he would be able to point out the consequences of the bill to the West-India proprietors. Lord Grenville remarked that it was irregular to examine a witness at their lordships' bar, who had no facts to state, but who was merely called to explain his views and opinions. It was stated, at the same time, that if proper evidence was adduced at a subsequent stage of the proceedings, it would be received; and accordingly the agent for Barbadoes was heard as a witness. In the present case every thing depended on evidence. The preamble of the bill stated, that in the charters of several corporations of this kingdom there were divers defects. That certainly was matter of evidence. It went on to say, that the corporations had abused their privileges, and neglected their duties.

Was that a matter of evidence, or was it not? The deduction drawn from all this was, that certain provisions and regulations ought to be made; the consequence of which was to be, that a great number of individuals were to be stripped of their property—stripped of that which by law they were entitled to, and of which by the operation of no law could they be deprived, unless charged with and convicted of certain offences in a court of justice—and that this property was to be transferred to the hands of others. Would the other side of the House say this was not matter of evidence? Why, the whole was said to be established in the report of the commissioners. The commissioners had taken evidence upon which they founded their report, and without which evidence their report must be regarded as utterly destitute of all foundation. Could any person who ever sat in a court of justice, who was at all imbued with the principles of justice, who had ever practised in a court of justice, say, that the whole of this was not to depend on evidence? and that parties were to be stripped of their rights and property without a charge being preferred against them, or, if preferred, as had been by this bill, without having an opportunity of meeting that charge? They might discuss this measure as they pleased, but the foundation of it was the Commissioners' Report. The king's speech pointed to that report as the foundation. No step was taken till that report was on the table; the preamble of the bill was taken out of that report, and when the bill was opened in the other House of Parliament, the minister who introduced it entered into all the

tittle-tattle of the commissioners, and made the report the foundation of the measure. Would their lordships, then, sitting as legislators and as peers judicially, deprive men of their franchise, their properties, and their pecuniary rights, upon such a report, collected from evidence, without asking who were those commissioners? Had they seen them in public acting in high stations, so as to have been able to form a correct opinion of their discretion, impartiality, caution, and sound judgment—and thus to have confidence in the result which they had come to in their inquiries? These commissioners, with one exception, were unknown Whig partisans, or something more than Whigs; and their opinions, forsooth, were to dictate the fate of the English corporations. The House had none of the evidence on which these opinions were said to have been formed, for they had been told it was not in a state fit to be produced. They had only the conclusions which the commissioners had drawn from the evidence that was before them; not even the conclusions of the twenty, but the conclusions of one or two in particular places, which conclusions so drawn were acted upon as evidence by the commissioners generally. Were their lordships, upon the report of twenty or thirty persons, appointed for party purposes, receiving their pay, to deprive men of their rights and properties, without hearing any evidence whatever, either for or against them? Nothing so monstrous had ever been heard of as what was now done—concealing from the knowledge of the House the evidence from which a set of men, appointed for party purposes,

had chosen to deduce certain inferences! And, of a truth, looking at what was already known, and what was offered to be proved, of the proceedings of these commissioners, it was not surprising that further revelations should be avoided. In one place they represented a certain alderman as having obtained his place through the duke of Newcastle, and as having therefore always given his political interest to his grace. The fact was, that the gentleman in question had obtained his place by the influence of earl Fitzwilliam, and had always voted for that nobleman's nominee. They stated that the county of the city of Coventry, consisted almost entirely of rural population. It contained 2,500, and of these the proportion of the agricultural population was not quite 400. But no wonder that their evidence was worthless, considering the sources from which it was derived, and which moreover were not always honestly stated. Take the case of Coventry. The commissioners, at p. 8, said, "a solicitor who had been much engaged, &c., told us so and so"—at p. 15, "a professional gentleman told us so and so"—at p. 29, "a solicitor of this town." At another place, "a gentleman who had been much engaged in forwarding the claims of the freemen"—in another page, "a solicitor long connected with the corporation" had given them several pieces of information. Now, their Lordships would very naturally suppose that this information was afforded by different persons. No such thing, this was one individual. And who was he?—a person who had been formerly in the employment of the town-clerk, but had been dismissed at the instance of a magistrate of the

county, having been known to express a wish that all the churches in England were pulled down, and the materials of which they were built were used for the Macadamization of the roads. The corporations were not to be robbed on the opinions of a packed commission, acting as this had done. Whether the House was to proceed on the evidence said to have been taken, or on the conclusions drawn from it by the commissioners, the corporations were entitled to contradict that evidence, and to show that these conclusions had no foundation in fact.

The earl of Radnor, the marquess of Lansdowne, and lord Plunkett saw no occasion for any inquiry; because the measure was founded on the necessity of reform, which was too notorious to be denied, and the effect, if not the intention, of the proposed investigation would be, to defeat the bill. If it were a bill of pains and penalties against the several boroughs, it would be right to seek for evidence in each case; but being only for the correction of abuses, which few or none denied, it was not necessary. It was no more injurious to corporations than the bill for local courts would have been, in depriving them of their jurisdiction, which was to be transferred elsewhere, on general grounds of expediency and justice. As to the report, many passages might, no doubt, be gleaned from it, which were not quite accurate. But there was nothing to justify general imputations, such as that this was a party measure, and that it had been attempted to carry it into effect by party instruments. The commissioners might be Whigs; but did that disqualify them from acting as commissioners?

Lord Wharncliffe denied, that it was the intention of the opponents of the bill to defeat it by delay. It was their intention, and they were determined to act up to it, to see justice done, by giving an opportunity to those parties, against whom allegations were made, to be heard before the House in reply to those allegations, and the sole object of the amendment was, that the parties accused should be heard. If the government now rejected the report as the ground-work of the bill, why had the commissioners been appointed?

I they relied on the report, they were bound in common justice to give to the parties, whom the report had accused, an opportunity of answering the charges made against them. It was clear, that the report of the commissioners was intended to be the foundation of some legislative measure; for, in the address of the House of Commons to the throne, praying for the appointment of the commission to inquire into the corporations of England and Wales, it was distinctly stated, that they made the request with the view that parliament should legislate on the subject early in the then next session, in order to the correction of the abuses which might be shown. Whether the government relied solely on the report of the commissioners or not, they had appointed them; the commissioners had reported; that report was laid on their lordships' table; it contained charges against many corporations; and justice required their lordships to give the parties thus accused an opportunity of being heard in reply to the charges brought against them. The earl of Harewood, too, said that, although opposed to all unnecessary

delay, he had not been prepared for the accusations made by counsel against the commissioners, and now, for several reasons, wished to hear further evidence. The allegations of counsel, which they professed their readiness to prove, bore very much on the propriety of dealing with the bill. Both the commissioners and the public ought to desire that an investigation should take place. When a commission was appointed exclusively of one party, it was but right to know on what evidence they grounded their report. Everybody must know that the Bill had been produced from the report. It might be at the same time true that government had thought some alteration in corporations necessary, and had therefore appointed the commissioners. But if the government were determined to alter to so great an extent as in that bill, how came it that the whole commission was made from one party? Certainly this was not the mode to frame it so as to command public respect and confidence.

Lord Melbourne, however, went to a division, and was left in a minority of seventy; the House having determined, by a majority of 124 to fifty-four, to hear evidence.

The hearing of evidence occupied the house on the 5th, 6th, 7th, and 8th of August. Witnesses were examined in relation to about thirty boroughs, including Coventry, Worcester, Oxford, Dover, Rochester, Bath, Leicester, Norwich, Bedford, Doncaster, Shrewsbury. The evidence went to show that the commissioners had acted like attornies employed to get up a case, and with very little prudence, since they took their information principally from partisans of their own opinions, eager to

forward the same objects. In no town could there be any difficulty in finding discontented persons who thought every thing bad which did not favour their own love of power, and place them on a level with their superiors in respectability. These had been the favourite informers of the commissioners, who, as a natural consequence, had been grievously misled as to matters of fact, which even their own party bias would have been sufficient to have prevented them from estimating rightly. The town-clerk of Coventry stated, that the great witness of the commissioners in regard to that borough had once been in his employment as a writing clerk. "I conceive that, in the evidence which he gave before the commissioners, he betrayed my confidence, and acted in a manner unusual and unprofessional. His evidence is given anonymously in eight or nine parts of the report; so that if I had not been aware of the fact, I should have supposed that eight or nine different parties had been examined. He was in frequent private communication with the commissioners, and was in the habit of calling on them at their Inn. They took hearsay evidence in almost every case.' Another witness was a man who admitted he had been a party to inducing persons to swear falsely that they had served a seven years' apprenticeship, in order to qualify themselves as freemen. Part of this man's statement was, that the mayor of Coventry had been seen heading a mob; but this assertion he had been compelled to retract, on its being proved that the mayor was at the time in London. The corporators of Sutton Coldfield were charged

with having squandered £,000l. on buildings, and felled timber belonging to the corporation without any public competition. It turned out that the latter charge was not true, and that the expenditure in building had proceeded under the sanction and direction of the court of chancery. In Leicester, the evidence of one of the corporators examined by the commissioners, did not fall in with their own views. Neither this evidence, nor even the substance of it, was given in the report. The witness had been for years one of the county coroners. He conceived, very naturally, that the commissioners seemed to be desirous to collect all the evidence they could upon one side, and none upon the other. They had examined him about the conduct of the magistrates, the administration of justice, and various alleged complaints against the magistracy; but no trace of his answers appeared in the report. In regard to Dover, it was sworn that, "it is untrue, as stated in the report, that the admission into the governing body is exclusively confined to the members of one particular party. It is not true of a majority of the substantial and peaceable inhabitants, that there is a want of confidence among them towards the governing body. If the report means, as it seems to mean in one part of the statement, that the corporation exercises the influence of the Lord Warden, the Duke of Wellington, it states that which is distinctly false. The Lord Warden exercises no influence whatever, direct or indirect, over the corporation or in its elections. Some of the patronage named in the report is in the gift of the Lord Warden, and the rest

of the harbour commissioners. But the present Lord Warden has never, as imputed, exercised his patronage in favour of any member of the corporation. It is not true that a belief exists among the respectable inhabitants that the justices have granted or refused licenses from improper motives; nor is it true that they have so refused or granted licenses." The case of Marlborough was a striking instance of the manner in which the report was got up. One of the commissioners there was a barrister in the habit of attending these sessions; and one of the leading radicals, strongly opposed to the corporation, were a solicitor. Whatever statements this person made were taken down; but the town-clerk, who was present during all the time of the examination, deposed, that the report contained much matter which had not been brought forward in public, although it was not known when or how such information had been given to the commissioners. Among other things, the report described one of the corporators as being the steward of the marquis of Ailsbury; and this was not true. The commissioners abused the corporation of Norwich for allowing one of their officers to retain the interest of any balance which might be in his hands, not stating that it went towards paying the salary of the treasurer's clerk; and they were very severe on the aldermen of the same city for having given an appointment in "The Weavers' Company" for political purposes, while no such company existed. The report described an alderman of Norwich as having compromised, by paying 50*l.*, an indictment against him for bribery in a local

election. Not only was it proved that the statements of the commissioners in regard to this matter were untrue, and that the gentleman to whom they referred was not the person who had committed the alleged offence, but it was shown that the exact particulars had been correctly communicated to them before they published their report. At Rochester, a witness opposed to the majority of the corporation, and favourable to the views of the commissioners, had stated, "The corporation have used me ill, but I am bound to say that they are honest." This passed unnoticed. A protest was taken against the evidence, as it was called, which the commissioners were receiving, as not being according to any rule of law, hearsay, conjecture, belief, and supposition. The commissioner answered that he would not put into his notes any evidence that was improper. But as the report contained only conclusions, and the evidence was kept back, no person could tell whether the report was not founded on that improper evidence. The mayor of Arundel proved that, of two charges communicated to them as being made against the one was, that a particular individual had never been summoned to serve on the jury. This man was a gaiter-maker, in very humble circumstances, who had no man employed under him, and by an award of the judges in former times, by a by-law of the corporation, and by an award under an act of Elizabeth, which limited the jury to principals only, he was not eligible. This was told to the commissioner, who was requested to go and see the man; but he declined, saying his chaise was at the door, and he had

not time. The second ground of complaint was, that the corporation lands were let at an undue value. Their value, it was said, was 4*l.* an acre. The commissioner had been told, that there were four valuations, and that the highest was 50*s.* an acre, a valuation made by the commissioners of taxes. The commissioner was furnished with explanations, but he did not notice them in the report. In the report it was said, that a dissenter had been invited to come into the corporation two days before, but declined, although the commissioner had been informed that the circumstance had happened, not two days before, but two years before. Of East Retford it was stated, that burgesses had been made in anticipation of an election in 1792 and 1797; that an alderman had obtained a situation through the influence of the duke of Newcastle, and always voted in his grace's interest; that the magistrates held no quarter sessions in the borough. All these statements were flatly contradicted, and the evidence against them had been given before the commissioners, though not a trace of it was to be found in the report. At Bridgewater, the chairman and another member of the political union sat on one side of the commissioners, suggesting questions to be put to the officers of the corporation, some of which went to make these persons accuse themselves of indictable offences; and, after the public examination, members of the political union accompanied the king's commissioners to their inn.

The evidence having been finished, the House went into committee on the bill on the 12th of August. The duke of Newcastle

had proposed the rejection of the bill, by moving that the committee should be taken that day six months; but he did not press his motion to a division, the conservative peers having resolved to pass the bill, in so far as they thought it might do good, after stripping it of those provisions which seemed to be most operative for evil. The first alteration was proposed by lord Lyndhurst, who moved a clause preserving to all freemen, to every person who might have been a freeman but for this measure, and to their widows and children, or the husband of their daughters or widows, the same rights in the property of the borough as would have belonged to them, by its law and custom, if this act had not been passed. As the bill annulled all charters, he would not proceed a step farther with it till such a provision was inserted, preserving the rights of property, both to those who now enjoyed it and to their posterity, with ~~the~~ limitation only that they must be persons entitled to be admitted to their freedom. He did not now refer to general corporate property, but to individual and specific rights of property enjoyed by freemen in many boroughs—rights of common and others. The value of this property was by no means inconsiderable in point of amount. It appeared that the annual value of property strictly vested in the freemen of Berwick-upon-Tweed was 4,000*l.*; in Newcastle-upon-Tyne, 3,200*l.*; in Coventry, 2,000*l.*; in Sutton Coldfield, 1,000*l.*; and in Oxford, 600*l.* The whole aggregate amount of that property was 26,760*l.* per annum, which, at twenty years purchase, was worth half a million. He would

not consent to deprive the freemen of this property, some of which was now held by them under charters from the Crown, and some of it under the sanction of law, and the authority of numerous acts of parliament. To take one example, the freemen of Berwick-upon-Tweed held their property under what used to be considered the best of titles, a Royal Charter, which specifically gave it to the use and behoof of the mayor, bailiffs, and burgesses of the town. The right to this property had been the subject of inquiry in the King's Bench, where it was contended that it existed for the benefit of all the inhabitants and was liable for the discharge of the town-rates. But the court decided otherwise, holding that the inhabitants must provide for the town charges without coming on the property of the freemen. The burgesses of Coventry had refused between 30,000*l.* and 40,000*l.* for the property which belonged to them exclusively and absolutely. The freemen of Newcastle-under-Lyne had originally a right of common over an immense range of country. An inclosure bill was passed, which gave them 205 acres in place of the right of common. That property was theirs—theirs alone—theirs under a title confirmed by act of parliament. On what ground was property like this to be taken from the freemen, and applied to what were called public purposes, that is distributed among others than the proprietors? The bill preserved it only to those now actually in possession, and to such of their descendants as had been born before the 5th of June last; but every son of a freeman born after that date was to be deprived

of his property. It would not be more unjust to take a man's estate in aid of the local rates of some small town near which it might be situated.

Lord Melbourne opposed the amendment as going too far. He would not be disinclined to consider a proposal for extending the period, during which these rights should be preserved, farther than it was now fixed by the bill; but he could not consent to preserve in perpetuity rights which he believed to be prejudicial both to the freemen themselves and to the whole community. Freemen relied on this property; and this state of general public charity had rendered them inferior to other classes of the community. If any of their lordships were to attempt to create a perpetuity in his property, the law would disregard the deed; and why should freemen alone enjoy such a perpetuity? The rights of common in particular were equally prejudicial to the occupation and to the cultivation of the land. All political economists were of that opinion.

The earl of Haddington expressed his astonishment at hearing such loose notions regarding property from a first minister of the Crown. It should be enough for the House, that what was now in question was property—property for the most part belonging to poor men, to whom these rights were of great importance, and who regarded them with pride and satisfaction. Was property to be thus lightly dealt with, and given up to fanciful speculators, on the question whether certain rights of property because they chose to doubt, were beneficial to the public in general? If this principle was to stand, who was

to judge to whom property was beneficial? Did they mean gravely to tell a poor freeman, for instance, that his right of pasturing two cows upon a Common did great injury to the public, and must therefore be taken from him? No untried theories should induce the House to consent to what was neither more nor less than plunder and spoliation, and if the proposed amendment was not admitted, the bill ought not to pass. The earl of Ripon spoke to the same purpose, asserting that the freemen considered these rights of the utmost importance. Their lordships were now the last resource of these freemen; and if they did not afford them protection, there was no other chance for the preservation of their rights. Ministers put the question as one of political economy, and stated that the possession of this property was not a benefit to the individuals themselves. Were their lordships the best judges of this fact? If the present owners of this property held that they were much interested in it, and that they would be great losers by the proposed change, he should think that they were better judges of what interested them than any other parties could be.

Lord Plunkett, lord Brougham, and the marquis of Lansdowne opposed the amendment, on the usual ground, that the rights, to which the bill put an end, were not rights of property. The property belonged to the freemen in their character of corporators; and if the latter might be the subject of legislative regulation, so might the former, because the right of property was incidental to the public character. These rights had been vested in certain persons from the circum-

stance of those persons having been made the depositaries of certain political privileges; they were granted for the benefit of the public, to be enjoyed until the political privileges, to which they were annexed, should cease. The bill did not divest those who actually enjoyed the right or their sons, but only those *in futuro*. If they were to consider inchoate rights and rights *in posse*, was nothing to be said of the inchoate rights of inhabitants? There was an affectation of feeling for the poor men who would be affected by the bill; but there were poor inhabitants who had inchoate rights in the privileges it secured to them. The principle was the same. Their lordships were constituting on behalf of the public, and for the public interests, a new depositary of power, so that the trusts should be possessed and administered for the benefit specially of the poor. They had proceeded on this principle, and had substituted one class of men for another, because one class had ceased to be adequate to the purpose for which corporations had been instituted. In doing so, they had been under the necessity, though it was an inconvenience and a necessity to be always regretted, of intermeddling with property. It was nothing uncommon. Repeated experience showed that Parliament had never been deterred, where high expediency or public policy demanded it, from meddling with questions connected with rights of property, contingent or inchoate. Such had been the law, sanctioning the cutting off entails; and the alteration in the marriage law, by an act in 1822, by which not merely property but honours were affected. Their

lordships had been employed, in 1831 and 1832, in dealing with rights of property; for some of them had paid large sums for their influence in boroughs, which the Reform Bill destroyed.

On the division, ministers were left in a minority of ninety-three; the amendment being supported by 130 peers, while 37 voted against it.

Lord Lyndhurst immediately moved another amendment which had likewise been rejected in the Commons, though supported there by a majority of the English members, viz., to preserve to the freemen their parliamentary franchise as secured by the Reform Bill. Lord Melbourne stated his hostility to the amendment, and his conviction that there was nothing either in the provisions of the Reform Bill, or the history of its enactment, which tied up parliament from now dealing with the franchise of the freemen in such a manner as the proper regulation of the boroughs might seem to require. But as the decision on the previous amendment left him no hope of success, he did not call for a division, and the amendment was immediately adopted.

A determined opposition, however, was made to the next amendment moved by lord Lyndhurst (August 14th), and which required a certain qualification in the town-councillors. By the bill as it stood, every man might be a member of the town-council who was a burgess. His lordship thought it unwise to adopt the principle that any person, paying the lowest amount of rates, might thus become a member of the governing body. He did not mean to say, that a pecuniary qualification alone would insure men of in-

telligence and integrity; but it would have a tendency to afford a security for the proper discharge of the trust; and accordingly a qualification was required by law for almost all the principal situations in which an individual could be placed. One species of qualification was the possession of a certain amount of real or personal property; but experience showed that this qualification was easily evaded. Another consisted in the occupancy of a house of a certain value, but it was difficult to ascertain the value, and there was a great difference in different places between the value of houses of the same nominal rent; a 20*l.* house in one place might be a very different thing from a 20*l.* house in another place. The best mode of fixing a qualification applicable to all places would be, to take the council from the highest rate-payers in each borough. The rate-payers in each borough might be divided into classes, each containing a sixth part of the whole body, and the members of the council would be selected from the sixth or highest class.

The government resisted the proposed amendment, both on the general ground, that no qualification was necessary or useful, and because, if any qualification was to be adopted, that which was now proposed was a bad one. On the general ground they argued, as had been done in the House of Commons, that qualifications, where they existed, had never been found to give any security; that, where they did not exist, as in the parliamentary representation of Scotland, their absence had not led to the selection of improper or disreputable persons; that the electors would not re-

ject, merely because he was rich, a person whom they deemed otherwise fitted to be a councillor, and would not choose an improper person, merely because he was poor. On the contrary, the people of England were too apt to look to the contents of men's purses in judging of their respectability. The particular qualification now proposed, too, was the worst that could be contrived; the greatest, and yet the most mischievous innovation, that could be made in our municipal institutions. It limited the power of selection to the smallest number, without regarding any other consideration than the amount of rate which they paid. There would be no possibility by which the other five clauses, excluded by the payment of a few pence less in the year than the favoured sixth, could rise to the stations for which talent and fitness pointed them out. A citizen of 500*l.* might find it prudent to live in a less expensive house, because he was the father of four or five children; while a bachelor, enjoying the same income, could afford a dwelling rated higher. The former, though he might be more sagacious and intelligent, and certainly more respectable as the father of a family, might be stigmatized as unworthy to bear any share in the government of the town; while the latter, who might be a profligate, would be eligible to its highest honours. Such a qualification would tend to put the power in every corporation, except in some very large towns, into the hands of a few; and it would create a barrier against the majority of the rate-payers, which no man could get over, whereas, in

almost all other cases of qualification, the bar was of so yielding and pliable a nature, that it could be overleaped. What could be more aristocratic than the declaration, that none but the very highest-rated inhabitants should be eligible? Nothing could be more odious, nothing more oligarchical, nothing more alien to the spirit of the British constitution and the feelings of the British people, than an enactment which created an aristocracy of wealth, and which said, not that men should have such or such an amount of property as a security to the public, but that they should be the very richest in the place. Lord Melbourne assured the House, that the amendment, if adopted, would prove fatal to the ultimate success of the bill. On the other hand, it was maintained that general denunciations of qualifications came with a peculiarly bad grace from the members of the present government. They had introduced a bill for improving the assessment of certain rates in Ireland, which enacted that the assessment should be made by the magistrates, along with a certain number of householders selected from the highest rate-payers—the very qualification which was now said to be a monstrous and unconstitutional innovation never before heard of. Two years ago lord Brougham himself had introduced a municipal bill, in which the qualification of a town-councillor was made to be the possession of 1,000*l.* in personal property. A municipal bill had been passed for Scotland; and under it no man could be a councillor who had not a 10*l.* qualification. The poor-law amendment bill

authorized the commissioners to fix a qualification for guardians of the poor, only providing that it should not exceed 40*l*. Lord Lyndhurst said, that he had mentioned one sixth, merely from the necessity of fixing some amount; but it was open to any of their lordships to propose a more definite qualification, such as 1,000*l*. He had preferred a proportional qualification as being more flexible, because an equal amount of rate would not operate in the same way in different places. Had he taken one-fourth, it would have reached the 10*l*. householders, which he would have thought too low; and one-sixth, which came so near to the most extensive qualification, could not be considered a very narrow one. Cases could, no doubt, be conceived, in which persons of character and respectability might be excluded; but this applied with equal force to every species of property qualification, for there was none which did not bear hard upon some class of persons. The division left ministers in a minority of eighty-one, the amendment being carried by 120 to thirty-nine. At a subsequent stage of the proceedings, on the motion of the earl of Devon, the further qualification was added of the possession of 1,000*l*. in real or personal estate in towns, divided into four or more wards, and 500*l*. in towns, divided into fewer than four wards, or forming only one ward.

The next alteration proposed by the opposition peers, was an amendment, which provided that a fixed proportion of the town-council should hold office for life. Lord Lyndhurst argued that town-councils, constituted as they would be under the bill as it

stood, could not safely be entrusted with the extensive powers which it conferred upon them. They were to be elected by the whole body of rate-payers; and all experience showed that they would act under the control of the persons, by whom they were elected. They would be required to give pledges as to their course of conduct; they would be influenced by the prospect of re-election; and thus they would be bound to flatter the prejudices, and pander to the passions of those whose suffrages were again to be obtained. The country had already seen how such a system worked; and that a person so appointed must be subservient to the political views of those by whom he was elected. Something, therefore, was required in the composition of the council to guard against that unsteady influence, which from time to time would be exercised by what would be termed the popular party, in the renewal of parts of the council. This could best be effected by declaring that a certain portion of the council should hold their offices for life; and his proposition was, that the proportion thus exempted from election should be one-fourth of the whole town-council. In doing this, the House would follow the example of some of the best corporations in the country; it would follow the example of London, where the aldermen were elected for life; it would adopt a principle recommended by the members of the present government themselves. They had formerly introduced a bill for the municipal government of certain newly-created boroughs; a bill carefully revised by lord Althorp, at that time the leader of the House of Commons, and

fully approved of by all the members of that cabinet. By that bill it was provided, that in each ward one freeman should be elected, who should be an alderman, and hold his office for life; and that the mayor and aldermen should be members of the town-council, by virtue of their office. Following that example, he proposed, that one-fourth, under the title of "capital burgesses," or "aldermen," having been once elected, should continue to hold their offices for life. It was only an act of justice, that the office of alderman should be continued to those who now held it. They held it by ancient charters; it had long connected them with the administration of property to a large amount; and there was no law under which they could be deprived of those appointments, unless they had forfeited them by their own misconduct. It was the common practice, when the Crown granted a charter to a municipal corporation, that the first aldermen should be named in it as a matter of grace and favour.

The supporters of the bill described this alteration as being more glaringly inconsistent with the principle of the bill than any of those which had been yet adopted, and declared that to agree to it was to lose the bill. Such a regulation would admit the worst principle of influence—not merely that of personal influence, for therein it was to be presumed there was always something of personal merit—but family influence and the influence of sects, and parties, and knots. It would continue the very worst feature of the present system of self-election. The amendment also proposed that the present aldermen, where they

were elected for life, and were not too numerous, should be held as elected into the select one-fourth. These men would act always together in a body, and would despise the new councillors. The effect of this arrangement would practically be to render the bill a mere mockery—to declare that its operation should be suspended, until the present race of aldermen had died off. By the bill a great and extensive change was intended to be made in the constitution of all the corporations, and in anything so large in its operation there would be no injustice in removing from their situations the present aldermen. In fact, without making that and the other essential changes which the bill embraced, it would lose a great part of its grace and favour—it would almost lose all—in thus forcing by law upon a reluctant corporation individuals whom they did not choose. Lord Brougham maintained that the intended bill for new municipal bodies had been only a sketch; and even if he had then been of opinion that some of the councillors should hold their offices for life under the name of aldermen, that was no reason why he should be of the same opinion now, when further inquiry and consideration had taught him better things. The duke of Wellington, lord Wharncliffe, and lord Ellenborough contended that if the amendment were not adopted, the town-councils would become anomalies in the constitution. These bodies would have the command of the corporate revenues, of church patronage, of the disposal of charities, and of all other corporate funds without control. They were to have the power of declaring that to be a nuisance and a crime which the

law had not declared to be such, and under the comprehensive phrase of promoting the benefit of the inhabitants of the town, they would exercise unparalleled authority; they would succeed to various bodies created under different local acts, every one of which bodies were limited in their power of taxation, whereas the taxing power of the new common-councils was without any limitation whatever. In proportion as these powers were great, the more necessary did it become, that the town-councils should be rendered in some degree independent of mere popular control. They would be more democratic than the House of Commons. The House of Commons was subject to the check both of the peers and of the Crown; but was the town-council of a borough to be subject to no check whatever? These bodies, as constituted by the bill, would be used as political engines; their petitions to either House of Parliament would, by all persons whose views they supported, be treated as expressing the sentiments of the inhabitants of that town to which they belonged; and thus a novel and hitherto unknown power would be brought to work in the British constitution. If it were determined that a body of aldermen or life members were unnecessary to a corporation, life members in the House of Lords would be deemed equally unnecessary. The clause as it stood went to the root of aristocracy, and went to the destruction of all that hitherto formed a check upon the democratical principle. The introduction of a system so entirely new could not fail to be attended, however cautiously managed, with some degree of

popular excitement, and the necessary consequence must be, that a different class of persons would be returned to the common-council from those whose elections might be anticipated in ordinary and more tranquil circumstances. It was extremely probable—nay, almost certain, if the people were called upon to exercise their unbiased choice, free from the influence of this excitement, they would elect those very men who were now in possession of corporate power; for they would in most cases, where not unduly influenced, select persons of property and character. It followed thence that the legislature, in now declaring that there ought to be some life members taken from amongst the old governing body, was only doing that which the people would be disposed to do for themselves, if left to the calm and deliberate exercise of an unbiased choice. Let parliament then do nothing to humiliate any set of men unnecessarily, but rather endeavour to do that which should have the effect of inducing all classes to co-operate in obtaining for all great towns the benefit of a happy and social system of municipal government.

The amendment was carried by 126 to 39, leaving ministers in a minority of 87.

The other amendments proposed by the opposition peers were agreed to without much discussion and without any division. The provisions which declared that persons, who at present were justices of the peace under borough charters, should cease to be so in future, was struck out. Instead of the power of dividing boroughs into wards, and fixing the number of councillors which each ward

should return, being left to the king in council, who could only act through commissioners, which commissioners, it was said, would proceed only with a view to the interests of the party that appointed them, it was given to the revising barristers. All towns containing 6,000 inhabitants, instead of 12,000, were to be divided into wards; and the number of councillors allotted to each was to be fixed by a compound ratio of numbers and property. The clauses, which took from the county magistrates, and gave to the new town-councils the power of granting licenses, were struck out; and the ecclesiastical patronage of the town-councils was limited to those members who might belong to the church of England. The amendment, declaring that the town clerks should hold their offices during good behaviour, which had been rejected in the House of Commons, was the only other alteration that led to a division, and it was carried by a majority of 104 to 36. The bill, as it came up from the Commons, left it to the king in council to determine the boundaries of the burghal territory to be governed by the new councils; the peers retained this power in the hands of parliament.

The bill, as amended, was passed by the House of Lords on the 28th of August. During the discussions in the peers, ministers had represented the alterations introduced as being fatal to the bill, and had stated that it would be a matter of very serious consideration with them, whether they would proceed with a measure which they described as being "spoiled and mutilated." Out of doors, likewise, attempts had been

made, by getting up petitions and public meetings, to raise a popular clamour against the amendments of the lords, and to renew the cry of—the bill, the whole bill, and nothing but the bill. All these attempts, however, had signally failed; the country showed no disposition to interfere with the lords, or to condemn what they had done; and ministers found that they would not be supported in abandoning the bill, because they had not got every thing their own way. Besides, if it was intended by them as a party measure, to widen and strengthen the foundations of their own party influence, by more completely merging the more wealthy and respectable classes of society in the lower and more numerous, the bill, however changed, was still a very powerful instrument for effecting these purposes. The amendments were brought before the Commons by lord John Russell, on the 31st of August. He complained that the lords, by their mode of proceeding, had caused their own amendments to be viewed in a more unfavourable light than would have belonged to them, if they had merely been the result of calm deliberation; because they had gone into inquiries, and listened to speeches, which seemed directed merely to abuse the House of Commons, and to disparage and irritate the new electoral body. The question, however, for the House of Commons was, whether the bill, even as altered, might not be moulded into an efficient instrument of good municipal government. He would not recommend to the House to adopt the amendments by which the town-clerks were made irremoveable, and by which borough magistrates, who

were now justices by virtue of their offices, should continue to be so. Still less would he admit the provision inserted by the lords, that a certain number of the councillors, under the name of aldermen, should be elected for life. These would be persons introduced by the title of self-election, and their presence in the council, surrounded by three times their number of members popularly chosen, would only embarrass and weaken the action of the municipal bodies. Instead of this, he would propose that the same number of members of the town-council as the lords proposed should be elected for life, should be chosen for a period of six years, and that one-half of the persons so elected should go out of office every three years, so that a re-election of one half would always be made at the expiration of every three years. Another amendment, from which he did not intend to dissent altogether, though he thought it went a great deal too far, regarded the division of towns into wards. According to the bill, as it passed that House, boroughs, in which the inhabitants amounted to 12,000, were to be divided into wards. Lord Stanley had proposed 10,000: the House of Lords, however, had fixed upon the number of 6,000 inhabitants as the point at which this division should be made. He would therefore propose that where there were 10,000 inhabitants, or rather 9,000 as the *minimum* in any borough, then it should be divided into wards. Another amendment regarded the recommendation of justices by the town-council. The bill enacted that justices should be recommended by the council, but should not be entitled to act, until they had received the authority of the Crown:

this provision had been struck out by the House of Lords, and the bill, as amended by them, gave the crown at once the power to nominate. He did not see what reason there was for this amendment; the reasons for the continuance of the provision were sufficiently obvious, and he therefore proposed that the House should disagree to the alteration made. With regard to another amendment relating to the settlement of boundaries, and the manner of the division of towns into wards, it would be an inconvenience, but nothing more. The commissioners for these purposes were to have been appointed by the king in council; but, by the amendment made by the lords, the boundaries of towns were to be settled by act of parliament. Now he thought that where the parliamentary boundaries had not been already taken, great inconvenience would result from this provision; but as he did not wish to meet such amendments as these in any bad spirit, he would advise the House to agree to this amendment. Neither would he object to the alteration which left the divisions of the towns into wards to the revising barristers, instead of the king in council; still, as some of these gentlemen were but young and inexperienced men, he should not be disposed to give them the absolute power of determining the limits of wards, and especially of adding wards, and he should therefore propose that his report should be made to the king in council, and should receive his sanction before it was acted upon. His lordship next stated that he retained his opinions as to the futility of property qualifications. Seeing, however, what had been

the course taken by the legislature, and what was the feeling upon the subject, he had made up his mind not to resist a qualification. The first amendment touching this matter provided that no person should be qualified to be a member of the town-council, unless his name was contained in a list comprehending one-sixth of the highest rate-payers of the borough. Now, this was a provision which in effect pointed out the number of those who were the aristocracy of the town, and was most objectionable in this point of view, that it was in fact saying to the smaller rate-payer, "You shall be excluded from the town-council, unless you belong to the aristocracy of the town." There was, however, another qualification to which the same objection did not apply; this was, that the possession of real or personal estate to the value of 1,000*l.* in certain boroughs, and of 500*l.* in other boroughs, should be a sufficient qualification for the town-council. Now, if this qualification was proposed in a manner likely to be agreeable to the inhabitants of the towns, he would give it every fair consideration, but he objected to the manner in which the qualification was to be obtained. The overseers were to make out a list comprehending one-sixth of the rate-payers in the town, paying the highest rates, and the names of persons worth 1,000*l.* or 500*l.*, as the case might be, but those who claimed to be inserted in right of their property must make their claim upon the overseer, which claim might be objected to, and would be decided upon by the revising barrister before the mayor. If the qualification had been made to consist in being worth a freehold of 40*s.*

a-year, or of paying 50*l.* rent, that might be easily ascertained; but if you said the possession of real or personal estate to the amount of 1,000*l.* should qualify, and that that was liable to examination and rejection before the revising barrister—when you applied that principle, which was totally new, to persons engaged in trade, that examination became odious, and invaded the security of credit so much, that the most disagreeable consequences must follow. He objected, not to a qualification of this kind, or something of this nature, but to this mode of claiming it, which was both novel, and would in our country towns produce the greatest dissatisfaction; and probably an amendment might be framed which would in some degree ameliorate these evils. He would further propose that the amendments which reserved to freemen their parliamentary franchise, and their share in common lands, should be agreed to, because they did not interfere with good municipal government, but it would be highly injurious to perpetuate the exemption from toll enjoyed by the freemen in certain boroughs. Neither would he ask the House to accede to the provision which limited the exercise of ecclesiastical patronage to such members of the town-councils as might belong to the church of England; for this was to introduce a test in violation of the principles on which the test and corporation acts had been repealed.

The radical section of the House showed a strong disposition to blame ministers for conceding too much, and indulged in very violent language against the House of Lords. In yielding, they said, so much as they had done, for the

purpose of conciliating the House of Lords, ministers had not consulted either the tone of public feeling or the dignity of that House. When the wishes and inclinations of the people of England upon this question had been so backed by the deliberate judgment of their representatives, there should be no power in the state to stand against them, and permanently there never could. Was it to be expected that the members of that House should sit down contented and have all their great measures of reform thrown out by the lords; that they should reform their own House, and not ere long set about reforming the other House of Parliament? If the bill were to pass mangled and mutilated as it was at present, it would be the means of raising a cry for a much more extensive reform than ever this bill had contemplated. The other House of Parliament ought to take a warning from the signs of the times, and not refuse the redresses that were required. Why, said Mr. Roebuck, member for Bath, why should the real representatives of the people bear the insults of so weak a body, when they had the power to crush them? That House had thrown out all the important measures which the representatives of the people had passed; and how much longer would they be required to go on with concessions? Having reformed themselves, was there no other body that required the excision of the knife? He was an advocate to the utmost for democracy, and the sooner they brought the matter to an understanding the better. He knew there were some few persons in that House, pretending to represent the people, who had a con-

tempt for democracy; but, in his opinion, what the people desired ought to be law, and nobody ought for a day to stand, or could much longer stand, between the people and their wishes. The interests of the lords being only to maintain the supremacy of irresponsible power, were wholly incompatible with those of the people. Why should such a body, with circumstances, interests, and feelings entirely opposed to popular desires, any longer have the power of controlling the decisions of that House? It was childish and imbecile to talk of conciliation and concession in such a case. He was one of those who felt it necessary to stir up the people upon this subject to something almost like a revolution. Mr. O'Connell said, the collision, which had been so much dreaded, was begun, and he rejoiced it had originated with those who, pretending to be the friends of the poor, were the friends only of the very rich who could afford to bribe the poor. It might be very well for the House of Commons to consider if they were not going too far in the contemplated concessions; but it would, likewise, behove others, whose days, at least whose years were numbered, to reflect if they were not going too far. It was childish to suppose that the people of England would tamely submit to the domination of two hundred individuals.

The conservative party, likewise, were not altogether united; some of them thinking that the amendments of the lords should be maintained in all their integrity, while others were not adverse to admitting the modifications proposed by ministers. Sir Robert Peel said, that there certainly was

nothing in these propositions to prevent the House of Lords from taking them into consideration, and in some of them he was himself prepared to concur. He did not think it was an improvement of this bill to introduce aldermen for life. If that proposal had been made in the House of Commons, strong as his objections were to many parts of the bill, he did not think he could have given his support to it. The selection of a certain number of the existing aldermen to be elected by the existing councillors in certain cases, and constituting them by law a part of the new councillors to the amount of a-fourth, implied distrust, but did not afford that security which the proposers of it contemplated, as the minority would not be sufficient to counter-vail the actions of the majority. Placing the aldermen selected by the existing councillors in office for life by the act of the Legislature would not be in conformity with the principle or general provisions of the bill. Ministers did not propose to do away with the amendment altogether, but to put the aldermen in office for six years, and that was an amendment which he could not dissent from, and to which he thought the lords ought to agree. He thought that the lords, in making the town-clerks irremoveable, and giving to the Crown the whole power of appointing justices, instead of naming them from a list sent up by the town-council, had made *bona fide* improvements on the bill which ought to be retained; on the other hand, he would not object to the proposal that the decision of the revising barristers in dividing towns into wards should not be final till approved

of by the privy council. The qualification of one-sixth of the highest rate-payers—dividing the whole number into six, and then taking one-sixth of the highest—was a qualification to which, if it had stood, great objections would have existed; but still if the one-sixth should be retained with the qualification of the 1,000*l.* and the 500*l.* on the principle proposed, without requiring an examination to take place before the revising barristers into the pecuniary affairs of individuals, or introducing an inquisitorial investigation into the state of their property, he should not object to it. Sooner than submit to an inquisitorial proceeding of that sort he believed many persons would prefer not to be elected at all. Some solemn declaration might be required to be made by those elected in order to ascertain the qualification. He could not agree, however, with ministers in the view which they took of the limitation of the exercise of ecclesiastical patronage to members of the church of England. He thought that the House of Lords was perfectly right in saying that they would make no distinction in point of religion where civil duty, secular office, or the right of trading, was concerned; but that where the question was of the qualification of a minister of the church of England, they should leave that question to those who belonged to the church of England. He could not see that there was the slightest reflection thrown upon dissenters by the legislature saying they should disqualify them from judging of the qualifications of a minister of the church of England. He had raised that objection on the first night on which this question was

debated in that House, and so strongly was the propriety of the objection felt by the member for Dublin, that he stated he thought it so rational that he would not object to some amendment, which would have the effect of reserving the right of appointment to the members of the church of England. It was not to be supposed by the dissenters that by this clause any reflection was intended to be cast upon them. If the proposal was, that endowed dissenting chapels should have their ministers elected by members of the church of England, not only would they disclaim such a principle, but they would be first instantly to remonstrate against it. Upon these grounds he must support the amendment of the House of Lords, which he thought perfectly reconcileable with the true principles of toleration, justice, and good sense.

Ministers rejected that part of the qualification which consisted in being included in the sixth part of the inhabitants who paid most rates. They retained the other branch of the qualification, which consisted in the possession of property real or personal to the extent of 1,000*l.* in the larger towns, and 500*l.* in the smaller. Sir Robert Peel proposed an additional and alternative qualification, viz., the being rated in 30*l.* in the larger boroughs, or in 15*l.* in the smaller. Ministers acceded to this; but some of their adherents, displeased at being compelled to adopt the principle of any qualification at all, divided on an amendment to reduce the amount

of rating to 10*l.* in all towns. They only mustered 36 votes against 273. More difficulty was encountered in dealing with the exercise of ecclesiastical patronage. Lord John Russell's proposal was, entirely to reject the amendment of the lords, and return to the original provision of the bill, although he was not prepared to say in the abstract that dissenters were the fittest persons to present to vacant benefices in the establishment from which they dissented. Mr. Spring Rice proposed an expedient, which was ultimately adopted, to insert a clause directing the ecclesiastical patronage belonging to boroughs to be sold, and the price to be invested for the purpose of being applied to the public good of the boroughs. The Commons did not attempt to restore the clause which gave to the town-councils the power of granting licences.

The amendments of the Commons were taken into consideration by the lords on the 4th of September, and were agreed to with a few exceptions. The peers still retained, however, their original amendments, providing that justices should be named directly by the Crown, and not selected from lists sent up by the town-councils, and that the division into wards should begin with boroughs containing a population of 6,000, instead of 9,000. The Commons, on the 7th of September, agreed to the bill as it had been returned to them from the Lords; and in that shape it was finally passed.

CHAP. XI.

Lord Morpeth introduces Bill for Regulating the Irish Church—Proposed Mode of suppressing Benefices to create a Surplus—Read a Second Time without Discussion—Sir R. Peel moves instruction to the Committee to divide the Bill into two Bills—Speech of Sir Robert Peel—Adjourned Debate—Motion lost—The Bill passes the Commons—The Lords agree to all the Clauses for the reduction and collection of Tithe—Debate on Motion to strike out all the Clauses for suppression of Benefices and appropriation of their Funds—Motion carried—Ministers abandon the Bill—Bill to suspend Payment of the advances made to the Irish Clergy—Commission of Inquiry into the Church of Scotland—Dissatisfaction of the General Assembly.

WHILE the House of Lords were dealing with the municipal bill, the Commons were occupied with the Irish church bill, the other leading measure to which ministers had limited themselves for the session. In so far as regarded the arrangement of tithe, it did not differ much from what had been proposed by Sir Robert Peel's government; but, as a consequence of the resolution by which that government had been unseated, it contained a new set of provisions for appropriating the surplus revenue, which had not yet formed part of any tithe bill. Lord Morpeth opened the measure on the 26th of June. He stated, that, in conformity with the bill of last year, and of that which the late government intended to have introduced this session, he proposed to convert the existing composition into an annual rent charge, payable by the owners of the first estate of inheritance, or such other equivalent estate as would be accurately defined by the bill, equal to seven-tenths of the amount of composition, or 70% for every 100%, charging the cost of collection on the tithe owners, because they

VOL. LXXVII.

would be relieved from all risk and trouble. This charge would be 6*d.* in the pound, which would leave the sum of 68*l.* 5*s.* as the net income derivable from every 100*l.* of composition. He had considered it advisable to make a distinction, not only between existing and future clerical incumbents, but also between clergymen and lay impropiators, inasmuch as the latter had no duties to perform, and had generally other sources of income, and therefore he proposed that the existing clerical incumbent should receive 73*l.* 8*s.* for every 100*l.* of composition. The additional five per cent, in this case, would be charged upon the perpetuity purchase fund. This charge would be temporary, and not perpetual, as was proposed by the bill of last year. The machinery of the bill which he proposed to introduce, was so similar to the bill of last year, that he did not feel called on to enter into any of the details respecting the real charges payable to the Crown, and the investments, which would be placed under the management of the commissioners of land revenue. The bill would authorise

a revision and revaluation, under certain cases, of benefices for the tithe composition. It was likewise proposed to extend the provisions of lord Tenterden's act for the limitation of suits to Ireland, in the same way as it was included in the bill of last year. A clause would be introduced into the bill, remitting all advances made to tithe owners from the million granted by parliament for the arrears of 1831, 1832, 1833. As to the arrears of 1834, he found that in many parts of Ireland, especially the north, the Protestant parts, several landlords, under the provisions of lord Stanley's act, had taken upon themselves to pay the clergy their amount of composition, subject to a bonus of fifteen per cent. About 102,000*l.* of composition had thus voluntarily been undertaken for by the landlords. He proposed to keep those landlords to the observance of the liability which they had voluntarily contracted. He wished in all cases, retrospective as well as prospective, to exempt the occupying tenant from the payment of tithe, but he proposed to enable the privy council to recover the arrears of 1834, subject to a deduction of twenty-five per cent from those landlords who had a permanent interest in the land, on whom the liability had already by law devolved. In proceeding to explain the more important part of the measure, which regarded the future prospects of the church, his lordship observed, that the House had to deal with a state of things which, in the present condition of public opinion, would have precluded every sane man from endeavouring to found in Ireland—if all things were to be begun afresh in that country—a Protestant Episcopal church.

But finding that church there with all its long prescription, and interwoven as it was with so much of the civil polity of our country, they were not prepared either to uproot its foundations or disturb its frame-work. Yet he felt sure that parliament must consent to its modification, if they meant that any human power should preserve it. It was necessary to fix some point, below which the presentation to a vacant benefice should be suspended. If that was not done, nothing would be done, and parliament must still be prepared to keep up livings without duties, clergy without flocks, and pay without work—in short, all the worst gains of the sinecurists on the worst principles of the bigot. By the report of the commissioners of public instruction, who had prepared a census of the population of Ireland, specifying the proportions of the different religious sects, the members of the established church amounted to 853,064, the Presbyterians to 642,356, and the other Dissenters to 21,808 persons. The number of the Roman Catholics was 6,427,712—in other words, the members of the established church amounted to 853,064 persons, and the number of those who dissented was 7,091,876. The distribution of the members of the established church was almost as disproportionate as their total amount. In the diocese of Dromore there were 264 members of the established church for every 1,000 acres; in the diocese of Tuam, only eight to every 1,000 acres; in the diocese of Clogher there were twenty-six to every 1,000 acres; while in another diocese there was less than one. It was proposed, therefore, to suspend the presentation or appointment to

every benefice in Ireland where the number of Protestants did not exceed fifty. He would take a case, which was not a solitary instance, that of a parish in which there was neither glebe-house, church, nor churchman; there the cure of souls would be committed to the care of a neighbouring minister, appointed by the bishop of the diocese, at a stipend of 5*l.* a-year. In the case of a suspended parish, in which there was any number of members of the establishment from one to fifty, the ecclesiastical commissioners would be empowered, subject to the approbation and consent of the lord lieutenant in council, either to assign the cure of souls in that parish to the care of the neighbouring minister, or else, should they think that the spiritual wants of the members of the established church could not be adequately provided for by such assignment, to appoint a separate curate. It would also be enacted, that, in all parishes where there now existed a church and a resident officiating minister, a separate curate should be appointed. When the cure of souls was committed to the care of a neighbouring minister, excepting the case before mentioned of a parish without a church, and without a single member of the establishment, the ecclesiastical commissioners might, with the consent and approbation of the lord lieutenant in council, assign any amount of stipend which they should consider adequate remuneration for the duties performed, the sum not to be less than 10*l.* or more than 50*l.* a-year. Where a separate curate was appointed, the salary allowed to him was not to exceed 75*l.* a-year; and if he chose to occupy the glebe-house,

and undertook to keep it in repair, he was to be allowed to take possession of it, together with so much of the glebe land as the ecclesiastical commissioners should think proper to grant him, provided its amount did not exceed in value 25*l.* In every parish where the cure of souls was committed to a neighbouring minister, and where his own church was so situated as not to be calculated to afford accommodation for the spiritual wants and public worship of the members of the established church in the annexed parish, and also in those parishes where a separate curate was appointed, provision was to be made for the erection of suitable places of public worship, fit to accommodate the probable number of the different congregations: these were to be built at a cost not exceeding 100*l.*, or rented at a cost not exceeding 15*l.* a-year. In making all these several provisions, the archbishop of the province and the bishops of the dioceses were to be associated with the ecclesiastical commissioners. With respect to other parishes not coming within the provisions before mentioned, if it should appear, after deducting thirty per cent from the existing tithe composition and the payment of the tax on ecclesiastical benefices, that the income of any parish should exceed 300*l.* per annum, the ecclesiastical commissioners would be required to report the circumstance, on the voidance of the benefice, to the lord lieutenant, who would be empowered to make such a reduction as should seem to him fitting, taking for his guidance the report of the commissioners as to the amount of the congregation and the extent of the duty to be performed. The income was never, however, to be reduced

below 300*l.* a year. In cases of livings in the gift of the Crown and the bishops, he thought it would readily be conceded that there should be no delay in carrying these provisions into effect; but power would be given to indemnify the owners of lay advowsons, and to charge that indemnification on the fund which would be created from the various sources which he had mentioned, and which it was proposed to call the "reserved fund." That fund would be applicable, in the first instance, to pay the salaries and stipends of the neighbouring ministers, or separate curates, to be appointed under the provisions of the proposed act; and it would be applicable, in the next place, to pay all charges which might accrue on the suspended parishes. It would then be applicable to pay for the erection or provision of places of public worship.

All these purposes having been satisfied, the surplus fund accruing from year to year was to be applied by the commissioners of national education in Ireland to the religious and moral instruction of all classes of the people, without distinction of religious persuasions. In the twenty-six dioceses of Ireland, the number of parishes without any member of the established church was no less than 151; of parishes containing less than ten Protestants, 194; less than twenty, 198; less than thirty, 133; less than forty, 107; less than fifty, 77. The total number of parishes, that would come under the operation of the bill, would be, 860, and consequently these parishes contained an overpowering number of persons of other persuasions, who were entitled to share in the benefits of a moral and religious education,

which a beneficent government ought not to refuse to any of its subjects. After deducting thirty per cent. for the tithe composition, there would accrue from the suspended benefices, in parishes within royal or ecclesiastical patronage, 47,898*l.* He had computed the salaries of the curates at 65*l.* each; and after the existing interests were provided for, there would accrue to the reserved fund 47,898*l.*, to which there was to be added, on account of indemnified patronage, 10,178*l.*; thus the whole would amount to 58,076*l.* In the debate on the church temporalities bill, some observations had been made on the expansive force of Protestantism; and he was happy to find in the report of the committee on public instruction, that the Protestants of the church of England were decidedly on the increase. The government had not been inattentive to this consideration; and where it should appear to the ecclesiastical commissioners that the number of members of the established church in any of the suspended parishes had increased to such a degree as to make the provisions of the bill inadequate to the religious wants of the place, they would be required to report the circumstance to the lord lieutenant, and to submit a proposition to meet the exigency. If the lord lieutenant approved of it, the report and the proposition were to be laid on the tables of both Houses of Parliament; and the ecclesiastical commissioners, after the expiration of six months, would be empowered to carry the proposition into effect, if Parliament should not otherwise direct.

The bill was brought in and read a first time. It contained two distinct sets of provisions. The first of these related solely to the mode

of collecting tithe, comprehended all that different administrations had yet thought fit to be done, and was calculated to remove that defiance of the law which was now made the pretext for the second and novel set of regulations—those, namely, which established a new distribution of the church funds, so as to create a surplus to be applied to other purposes. The only connexion between these two measures lay in the resolution by which the late government had been unseated—that the first would not conduce to the tranquillity of Ireland without the second. Even this consideration did not require that they should be included in one bill. By making them parts, however, of the same measure, ministers perhaps thought that the admitted necessity of altering the mode in which tithe was paid would carry through their new mode of applying it when collected, or that, if the first was rejected because accompanied by the second, they would reproach their opponents and the House of Lords, where the failure of such a bill was certain, with refusing to do anything to remedy the evils of Ireland. The object of the conservatives, on the other hand, necessarily was, to separate the two sets of regulations from each other, adopting that which would be practically useful, while they resisted the other as mischievous and unnecessary. Accordingly, sir Robert Peel gave notice (7th July) that on the motion for committing the bill he would move an instruction to the committee to divide it into two bills, that he might have an opportunity of rejecting altogether those parts of the bill which suppressed the protestant churches of 860 parishes, appropriating their

revenues to purposes not immediately in connexion with the interests of the established church, and of supporting those provisions in which he was willing to concur.

The bill having been read a second time *pro forma* on the 13th of July, the motion to commit it was made on the 21st, when sir Robert Peel moved the instruction of which he had given notice. After adverting to the exaggerated statements which had often been put forth concerning the wealth of the Irish church—the impressions which such errors never failed to leave behind even after they had been detected and exposed,—and the additional difficulty of the House having to struggle against the still deeper impression of a resolution which had been adopted for party purposes, he stated, that he nevertheless entertained the hope of demonstrating to them that they had acted upon false assertions, and that more than sufficient grounds existed for altering their opinion. In arguing the question, he would not take his stand either on sinecures or pluralities; he would waive all the weighty arguments to be drawn from the treaty of Union. He would take the evidence, admissions and calculations of the supporters of this bill themselves. He would take the reports of their own commissioners and their own declarations as to a supposed surplus of revenue, and from these he would demonstrate that the pretence of a surplus was a dishonest pretence, and that what they were doing could only tend to encourage delusive hopes, and ultimately to undermine the protestant establishment.

First of all, said sir Robert, look at the consequences of this bill in

connexion with the church temporalities bill of 1833. Earl Grey intended by that bill that the amount of the church cess, which he calculated at 60,000*l.*, should in future be applied to another object, namely, to the augmentation of small livings; and the House of Commons assented to the principle of this augmentation, and of 200*l.* a-year being the *minimum* of the clergyman's income; that is, that when any parish produced less to the incumbent than 200*l.*, it should be increased to that amount. Lord Grey calculated that these augmentations of small livings would cost 46,000*l.*, that building churches in parishes where there had been no churches before, would cost 20,000*l.*; and that the building of new glebe houses would amount to 10,000*l.* The total church revenue under the Church Temporalities Bill was admitted to be about 136,000*l.* annually; in addition to which lord Grey estimated that a fund of one million would be raised from the sale of perpetuities and from the suppression of bishopricks; and from this fund he expected that all the charges for the augmentation of small livings, the erection of new churches, and the building of new glebes, would be defrayed. If, however, lord Grey had made his calculations according to the real amount of the property of the church, he would have found, that, instead of 155,000*l.*, the arrangements provided by the Church Temporalities Bill would not realise more than 29,157*l.* annually. The charge for the future repair of churches could not be less than 25,000*l.*; because from the non-payment of the church cess for a long term, the churches generally were now in a very dilapidated state.

Besides this, there was 34,412*l.* cess and other charges, and there was also the expenses of a board of commissioners, amounting to 10,000*l.* more, making in the whole an annual permanent expenditure of 69,412*l.* The board at present had an income of only 29,000*l.*; and they might be said to have realised a debt. A sum of 80,000*l.* was expected from the purchase of perpetuities; but in one year there was a deficit of 40,000*l.*, and no provision was made for the augmentation of small livings or the building of new churches or glebes. The ecclesiastical commissioners had calculated upon 22,000*l.* from the tax on livings; and supposing on the whole, the utmost expectations to be realised, and that an income of 83,000*l.* was produced, while the outgoings amounted to 70,000*l.*, when would there be funds equal to meet the original purposes of the bill, namely the augmentation of small livings, and the erection of new churches, and glebes? Never; a debt must be annually incurred; that debt must go on increasing, till the income of the commissioners equalled 412,383*l.* This debt could not be paid off sooner than the expiration of twenty years after 1853, or thirty-seven years and a half from the present time. Yet with this debt saddled for thirty-seven years on the perpetuity fund and the five per cent. chargeable on livings, would the House refuse its attention to the exposure of this miserable scheme? "The bill destroys all calculations; it leaves no hope of a provision for the clergy; it postpones indefinitely the Temporalities Bill, which provided that small livings were to be augmented, and new churches and

new glebes erected, and admitted that these were legitimate charges on the ecclesiastical revenues."

Next was to be considered the effect of the present bill on the future produce of the tithe—one of the best examples of what was termed in mathematics a process of exhaustion. First, there was a deduction transferred to the landlord, which for the present, he would assume to be proper: next, the existing compositions were to be thrown open: thirdly, the averages, on which these compositions had been calculated, were to be supplanted, by an average of the seven years preceding the date at which this bill was to take effect. It was impossible to ascertain the effect which the re-opening of the compositions might have on the revenue of the church, for it would be unlimited. All cases were to be re-opened, on the complaint of a certain number of persons who might imagine themselves aggrieved. The composition might have been entered into during the incumbency of the clergyman's predecessor; to himself it might never have yielded a guinea; yet, he was to be laid under the triple curse of a visit from three barristers, at five guineas a day each, before whom, while his family was starving, he was to defend a composition from which during four years he had not drawn a farthing—regarding which he had no evidence, and no information. The measure was, in this respect, fraught with greater injustice than any measure he could remember to have been submitted to the legislature; and it was impossible to calculate how far it would go in diminishing the revenues of the protestant church. The same effect would follow from the new

average. The act of 1824 provided that the composition entered into should endure for twenty-one years, and consequently it was to last till the year 1845. The bill of 1832 went to compel parishes to enter into composition in cases where none had already been made; but where compositions had been agreed upon for twenty-one years, they were not to be disturbed. Then there was the composition for seven years, made in 1833 and 1834. In the face of all these, the present bill provided a completely new standard of composition—a new average—and proposed to force the application of it upon all parties who had already compounded, no matter whether they were disposed to receive it or not. The average proposed was that of the last seven years, though it was notorious, that prices for a great part of that time had been on the decline and that tithes had not been paid. The average, which ended in the year 1821, was regulated by the following prices—corn 1*l.* 15*s.* 10 $\frac{1}{2}$ *d.* the quarter; oats, 12*s.* 11 $\frac{1}{2}$ *d.* The average taken by Lord Stanley in 1831 was—wheat, 1*l.* 12*s.* 0 $\frac{1}{2}$ *d.* the quarter, oats 13*s.* The present bill, rejecting all these, adopted a totally new average, which was as regarded corn, 1*l.* 10*s.* 1 $\frac{1}{2}$ *d.* the quarter, and oats 11*s.* 8 $\frac{1}{2}$ *d.* The operation of this new average, so far as any approximation to it could be made, would be, to take away 16 per cent from the present amount of composition, in addition to the three-tenths to be given to the landlord.

Now, continued sir Robert Peel, look to the result in figures. Take 100*l.* of tithe composition. First of all the three-tenths are to be deducted, reducing it at once to 70*l.* The effect of the new aver-

age, which is to be taken on oats alone, not on wheat, will reduce it farther by one-sixth, or 11*l.* 10*s.*, leaving to the clergyman for his 100*l.*, no more than 58*l.* 10*s.* Besides all this, the Woods and Forests are to have sixpence in the pound, or 1*l.* 9*s.*, leaving to the unfortunate clergyman, with a nominal 100*l.* tithe composition, not a farthing more than 57*l.* 1*s.* Next, take a benefice, where the tithe of the living by composition is 600*l.* a-year. The three-tenths, or 180*l.* sweat it down at once to 420*l.* One-sixth, as the farther deduction occasioned by the new average, reduces it to 350*l.* Then comes a farther allowance of 8*l.* 15*s.*, being the sixpence in the pound to the Woods and Forests; and then there remained to the clergyman, out of his 600*l.* a year, precisely 341*l.* 5*s.* But he had farther to pay, under the Temporalities Bill, a tax of $2\frac{1}{2}$ per cent, or 8*l.* 10*s.*, bringing down the living of 600*l.* a-year to 332*l.* 15*s.* The House might judge of such a man's position, if, after all this, he had to pay 75*l.* to a curate, and 70*l.* for insuring his life.

Extend this to the effects of the bill on the whole revenue of the church of Ireland. From that revenue fell to be excluded two branches, which lord Morpeth had erroneously included — tithe received by bishops, which was already carried to the account of the church temporalities—and deans, chapters, and vicars choral, because this branch of church income was in future to be applied to the building and repairs of churches. With these deductions, then, the gross amount of tithe composition was 507,367*l.* This was the whole amount on which the parochial clergy of Ireland had to depend

for subsistence. The three-tenths deducted from this sum would be 152,700*l.* Then, taking the diminution on account of the average at the same rate as in the case of the income of 100*l.*, and of 600*l.*, it would amount to 57,632*l.*; and sixpence in the pound for collection to the Woods and Forests, would be 8,872*l.* These three sums, added together, would amount to 219,214*l.*, which, deducted from the gross sum of 507,367*l.*, would leave just 288,153*l.* for the whole parochial clergy of Ireland. There might be some small degree of error in deducting so much as one-sixth for the charge of average; but, if so, it will be amply compensated in other ways by the results of the composition. In addition to this sum of 288,153*l.* derived from tithes, it was but fair to take into account the value of glebe lands. Lord Morpeth had estimated it at 65,000*l.*; which was probably somewhat under the truth, and the fair valuation might be about 76,700*l.* These, with every other source of church revenue in Ireland, did not exceed 377,679*l.*

Having ascertained these matters, the House would now be able to look out for the surplus which it resolved to appropriate, before knowing whether it existed. They had now the report of the commission, for which they had refused to wait before coming to that resolution; and the report demonstrated that, if ministers were only consistent with themselves, it was impossible any surplus could exist; they would not even have enough to carry into effect the views professed by themselves. The report showed, that there were in Ireland 2,505 parishes, forming 1,385 benefices, of which 264 contained fewer than fifty protestants. Adopting

then, said sir Robert, the principle of this bill, that, where there are fifty or more protestants, provision shall be made for public worship according to the rites of the church of England, you have 1,121 benefices falling under this description. Divide among this number of benefices the whole amount of tithe, as I have before stated it, and there will not remain for the clergyman in each of those 1,121 benefices, more than 256*l.* income. All who have ever spoken in this House upon the subject of the Irish church, those who, from personal knowledge, must be supposed best acquainted with the subject, have not hesitated to say, that the union of parishes is one of the greatest evils in Ireland. Now, there are, according to the report, 2,505 parishes; in 860 of which there are less than fifty protestants. Do I admit the right or fitness of no longer having a clergyman in any of these 860 parishes? No, I do not. I think such a step must be fatal to the Irish church. But, deducting these 860 parishes, there will still remain 1,545 parishes having a population of more than fifty protestants. Now, according to the principles laid down by themselves, ministers are bound to make a provision for a clergyman in every one of those parishes; and what does the house think will be the amount which can be afforded to each out of the present church revenue? Not a shilling more than 188*l.* a-year. What then becomes of the parishes with which, they were told, the parliament would be at liberty to deal—which induced a majority of the House to concur in a resolution before they saw the report? Your report itself convicts you of deliberate error. From that report it appears, that

there are in Ireland 961 benefices with more than 100 protestants each; 1,165 benefices with a church in each, and two churches in some of them; and there are now in Ireland not less than 1383 churches. Wherever there is a church, there ought to be a clergyman; and, allowing to each only 220*l.*, so far from any surplus remaining, there will be a considerable deficiency. I will now class the benefices in connexion with the protestant population in each class. There are 670 benefices, with a protestant population of from 50 to 500; there are 209 in which the number of protestants to each church is from 500 to 1,000; and 242 with more than 1,000 protestant inhabitants. Though I am not an advocate for great inequality or exorbitance of income, I see no good reason why, in Dublin for instance, in Cork, or in Belfast, the income of the living should not be in some measure proportioned to the greater labours which the clergyman must necessarily undergo. If something of this kind be not done, you will not only degrade the clergyman, and render him incapable of holding that station in society which may render his ministry efficient, but you will inflict irreparable injury on the church itself. Dividing, in this way, the benefices in which the protestant population is from 50 to 500, from 500 to 1,000, and from 1,000 to any number exceeding it, there are, as I before stated, in the first class, 670 benefices, in the second 209, and in the third 242. Suppose you allow to the clergyman in each of the first class of benefices an income of 200*l.* a-year; to each of those in the second class 300*l.*; and to those benefices with a protestant population of 1,000, and

upwards, 400*l.* a-year—the demands on the present revenue of the Irish church will thus amount to 293,500*l.* and to meet this demand you have only 288,000*l.* Here is a deficit, not a surplus! Be it remembered, that I make no provision at all for a curate, although in any benefice having a protestant population of more than 1,000, a curate will be indispensable. Yet all persons who have spoken on the subject—men of all parties, private gentlemen, and official persons, protestants and catholics—have concurred that no clergyman, doing the duties of his office, should have less than 200*l.* or 250*l.* per annum, and that 75*l.* a-year is too small an allowance for a curate, who must have had a liberal education. If you give 200*l.* a-year to the clergyman in the country, you ought to increase the stipend to the minister in large towns. In Belfast, for instance, or in Dublin, or in Cork, the minister will wish to exercise the natural influence of his station, and you ought to give him the means of so doing, and to place him above the privations—I will say above the temptations—of poverty. You ought to provide for him, not a superfluous, but a decent and adequate income. You yourselves admit the justice of the principle. Well, then, if you adopt the scale I have referred to, if you take 200*l.* as a minimum for the country clergy, and if you allot a respectable provision for the ministers in great towns, this conclusion presses on you with resistless force—that, so far from having any surplus to appropriate, you cannot execute your own intentions out of the existing revenues of the church.

Sir Robert next proceeded to shew, not merely the absurdity,

but the grievous wrong, the practical injustice, involved in the proposition to sequester the revenues of the 860 parishes in which there were fewer than 50 protestants. He observed that, in many parts of the west of Ireland, though there were parishes which, strictly considered, did not contain 50 protestants, yet, in a great variety of instances, these parishes were united into one parish. In some of these there were more than 50 protestants, and in others more than 200. The parish church was generally situated in the centre of the union of these united parishes, and at a tolerably accessible distance for each inhabitant. Probably such a sum as 250*l.* or 300*l.* a-year was provided by the joint contribution of inhabitants. Now, what did ministers do? Finding fewer than 50 protestants in each parish forming the union, they sequestered the revenues of all of them. They said, “It may be very true that the parishes united contain more than 200 protestants, yet separately, none of them contain 50: therefore it is just, expedient, and will tend to the true interests of the church to sequester them all.” As an instance of the operation of this principle, he would take the union of Cullen, a benefice made up of three parishes. In the parish of Cullen there were 760 members of the established church, in Monkstown 48, and in Droman only 24. Ministers said, “we find here a union of three parishes; two of them contain less than 50 protestants, and therefore we will sequester the whole of the proceeds, and leave the minister of Cullen to enjoy himself as he may.” Although Cullen contained 760 members of the established church, yet it had no income whatever for the

incumbent. The income of Cullen was nothing; but Monkstown afforded an income of 248*l.*, and Droman an income of 204*l.* The incumbent of Cullen had a congregation of 848 members of the established church, and, with the proceeds of Monkstown and Droman, he had a nominal income of 450*l.* Under the temporalities bill, this would be reduced to 317*l.*; but ministers, instead of leaving the clergyman of the benefice subject to the tax of the church temporalities bill, to perform his duties to his congregation of 848 persons, with an income of 317*l.*, sequestered the income of Droman and Monkstown, and left him without any thing. There were at least 40 similar instances. The benefice of Dundalk was one union, consisting of Dundalk and Castleton, the former containing 1,430 members of the established church, the latter only seventeen. The stipend of the incumbent was 210*l.*, of which Castleton furnished 200*l.* The present bill sequestered the 200*l.* of Castleton, because it did not contain 50 protestants, and left the incumbent with a flock of 1,430 persons of the established church, and a stipend of 10*l.* a-year.

Sir Robert concluded with pressing upon the House the duty of not being deterred by any false notions of consistency, founded on the resolution to which they had come in ignorance, from now doing right when the facts were within their reach, and with urging them at least to pursue a decided and intelligible course. "One of three courses you must take. You may assert the right of the established church to these funds, and promise that its claims shall be first regarded, and that, till you are satisfied it has superfluous revenues, you

will do nothing that will lead to the entertainment of expectations which cannot be realized. You may say, that you have already made reasonable deductions from the revenues of the church, and that you have thrown the whole onus of ecclesiastical expenses upon the protestant clergy. You may say that you have relieved the public from the payment of cess, that you have relieved the occupying tenant from any payment; that you have given a bonus of three-tenths, or, as I have shown, nearly five-tenths to the landholder; and that, therefore, you will now insist upon the application of the whole of the remainder of the ecclesiastical revenues to the interests of the established church, because you feel that its means are far from being abundant. That is one course; and certainly it will have a tendency to settle the minds of the people, and divert them from the vague hope of getting something out of this reserve fund, and applying it to the purposes of education, although it could not be obtained or applied till every existing interest had been satisfied. You may take another—certainly a most unwise and most improvident course, but one which still would be manly and clear. You may say, The Roman Catholic shall be the established religion of Ireland; we are no longer able to struggle against the steady current of the popular party, and therefore we will go the whole length, and establish the Roman Catholic religion at the expense of the Protestant. That is intelligible. That is a course at least consistent with the steps you propose to take. There is another course—the course which I think you are about to take, and which is intermediate between the

two. It is neither to recognise the principle of the Roman Catholic religion, nor to assert the permanent claims and rights of the Protestant religion. It is to sow the seeds of a slow and destructive poison, which will, after much expensive litigation—after much harassing discord, and at the expense of continual bloodshed—lead to the ultimate extinction of Protestantism in Ireland. If you mean to maintain the Protestant church—if you are satisfied that you have not a surplus, and not more than will provide for the decent maintenance of the ministers, then I say affirm that principle, and the public mind will be put out of suspense. But by the course you propose to adopt—by simulating protection to, and really showing alienation from, the established church—by destroying the independence of the clergy, and by making them stipendiaries of the government—by holding them out to the public as individuals who intercept their rights, who crowd and block up the avenues of knowledge, and who appropriate to themselves those funds which ought more properly to be devoted to the purposes of education; by adopting these steps, I say, you place the clergy of the established church in a position which cannot be otherwise than deeply injurious, if not fatal, to the interests of that church in Ireland.”

Mr. Spring Rice, who attempted to answer this speech, passed over unnoticed its whole substance and object, namely, the demonstration that, on the intentions announced by ministers themselves, and the facts ascertained by the report of the commissioners, there could be no surplus of which to dispose; and that, therefore, there could be no reason for encumbering with

such a measure provisions for the collection of the tithe as a fund of the protestant church. He argued that the bill, in so far as regarded that collection—on which no part of the question turned—was almost identical with the intended tithe-bill of the late government, and would be, at least, equally favourable to the clergyman; that the power of opening up compositions was guarded against abuse by provisions in the bill, and, if these were not thought sufficient, others might be added in the committee; and that if the bill, in the case of unions, would lead to such consequences as those of which sir Robert Peel had pointed out instances, this, too, might be corrected in the committee; for, he admitted, that no honest man could wish to create a surplus by leaving incumbents with large flocks and no stipends. It was true that the number of members of the established church turned out to be greater than had sometimes been represented; they amounted to 852,064; but the House should look at the manner in which they were distributed. Of these there were to be found in the diocese of Armagh alone, no fewer than 517,000. In the two ecclesiastical provinces of Armagh and Dublin there were not less than 694,000 members of the established church to be found out of 850,000, the whole number in Ireland. In the other two ecclesiastical provinces referred to in the report, there were only about 160,000 members of the establishment, while the number of Roman catholics was upwards of 3,000,000. These were certainly elements for the consideration of the House; and the right hon. baronet must either be prepared to make a new appro-

priation of church revenues in the ecclesiastical provinces of Cashel and Tuam, or he must come to the determination to take the excess of revenue which he found in those provinces, and expend the whole of it in the other two provinces. If such a principle were adopted, then, supposing the population of Ireland should become entirely Roman catholic, those who now advocated the transferring of ecclesiastical revenue from one part of the country to another, would be obliged, in consistency, to go the length of asserting that they were at liberty to withdraw the whole of the revenues of the church from Ireland for the purpose of expending them in England. The proportion of the members of the established church to the whole mass of the population in the different ecclesiastical provinces, stood as follows:—In Armagh, it was sixteen and a fraction per cent.; in Dublin, fourteen and a fraction; in Cashel, four and a fraction; and in Tuam, three and a fraction. Notwithstanding this great difference, the same provision for religious instruction was made in Tuam, where the number of protestants was in the proportion of three to 100, as in Armagh, where the number was in the proportion of sixteen to 100. In the diocese of Emly, the population amounted to 98,000 persons. Of these 1,246 persons were members of the established church. There were thirty-one clergymen in the diocese, forty-two parishes, and seventeen benefices. There was one benefice with no member of the established church, three benefices with less than twenty members, four with less than 100 members, and one with less than 200 members of the es-

tablishment. The average value of the tithe composition for each of these livings amounted to 210*l.*, making a total amount of annual revenue for the religious instruction of 1,246 persons of 7,000*l.* Not satisfied with this state of things, parliament in its bounty, and the board of first fruits in its discretion, had been pleased to expend upon the clergy, and glebe house within this diocese in gifts, 5,670*l.*, and in loans, 4,300*l.* In another case, there were forty-one benefices in which there was not a single protestant, either man, woman, or child, and yet, unless those benefices should come under the operation of the clause in the church temporalities' bill, provision would be made for religious instruction in them on the same scale as if the whole of the inhabitants were protestants. It had been said, that if 200*l.* per annum were given to every minister residing in his parish, (and less could not be given) it might be ascertained, by multiplying 200 by the number of parishes in Ireland, that no surplus would exist. But he was not disposed to allow a clergyman 200*l.* a year for the performance of his religious duties in a parish where there were scarcely any protestants; and his view on the subject was shared by the ecclesiastical commissioners, who, in such a case, gave a maximum stipend of 25*l.* a year to the minister of the adjoining parish. Even if all that had been stated were true, that was no reason for dividing the bill into two parts. The true object was to get rid of the former resolution of the House. The House had decided, after long debates, that the question of appropriation was connected with the concession of the million embodied

in the bill. The right hon. baronet now called on the House to sever the two propositions, either for no purpose at all, or for the purpose of passing that portion of the bill relating to the concession of the million and the settlement of the tithe question, and of throwing out the other portion of the measure relating to appropriation. Would it not have been better, then, to have candidly called on the House to rescind its own resolution? Those who voted for that resolution, and who wished to retrace their steps, should support the present proposition; but let those, who thought that resolution founded in justice, adhere to it and vote against the motion, and, by so doing, they would not preclude themselves from considering whether or not there was a surplus. He admitted that he had not grappled with sir R. Peel's figures, but he did not think it necessary to do so. He was ready to argue the question of a surplus, but he would not do so at that time, because he would not give the right hon. baronet the advantage of apparently debating one subject, whilst he was, in fact, calling upon the House to decide another.

The debate was continued, by adjournment, on the 22d and 23d of July; the leading speakers in support of the motion being sir R. H. Inglis, Mr. Goulburn, sir James Graham, lord Stanley, and, of the Irish members, Mr. Lefroy, sir R. Bateson, and Mr. Jackson, while the ministerial side of the question was maintained by Mr. Hume, lord Howick, lord Morpeth, lord John Russell, Mr. Sheil, and Mr. O'Connell. Following the example of the chancellor of the exchequer, they avoided meet-

ing the calculations by which it had been demonstrated that, on their own facts and their own intentions, they could have no surplus to apply to any other than the immediate wants of the protestant church. They insisted, largely, on the inequalities which, in many places, existed between the number of protestants and the amount of ecclesiastical revenue; but this did not meet the argument that, on their own shewing, the whole of the ecclesiastical revenue would not be more than sufficient, if it even was sufficient, for what they admitted ought to be done for the protestant church. They argued that all experience showed the impossibility of tranquillising Ireland, if the ecclesiastical revenues were given exclusively to the church of what was a small minority of the population, and that justice and expediency were equally opposed to such an arrangement; but so long as they did not overturn the argument, that the fulfilment of their own intentions, and the application of their own principles, would still give the whole revenue exclusively to the purposes of that church, it was difficult to see how the discontent of Ireland could be mitigated by such a measure, unless something lay behind which was not announced. Mr. Hume admitted that, though he would take the bill, he was not satisfied with it, because it did not go far enough, and still kept up in Ireland an obnoxious establishment which was not wanted. He valued the bill, not for the effects which it would produce at present, but for the great principle which it established, and which, at no very distant period, would compel the government to re-consider the question. This bill would not do;

far from it: but it was a step to a better system, and he would be satisfied, in the mean time, with the part of the debt which was tendered. Why not divide Ireland into districts, and allot a certain number of clergymen to afford spiritual consolation to the protestants residing within each district?—then sell all the landed property of the church, and cast the proceeds of the sale into one common fund, out of which you could pay the stipends of the clergy, doing away with that inequality of income which now prevailed in the mode of their remuneration? Why should they not hope to live to see that change carried in a few years, if not in a few months? Mr. Hume likewise repeated, as did the other ministerial speakers, the argument of the chancellor of the exchequer, that if the argument for the motion was sound, it ought to have been stated against the second reading of the bill, but was no reason for dividing the bill, or refusing to go into committee where the question of a surplus might be investigated. Mr. Goulburn answered, that, undoubtedly, an opposition to the second reading would have better pleased the government, who would then have exclaimed, “What! do you resist the second reading of a bill which goes to realise the tithe property of the Irish church—to relieve the landed proprietors from being compelled to repay the instalments of the million of which you yourselves were about to propose the remission?” It would have been convenient to the government to have been able to use this argument against them. They felt that there were parts of the bill of which they approved, and parts which they were not pre-

pared to support, and that they had no alternative but to acquiesce in the second reading, and await that stage when they could properly divide the measure into two parts for the purpose of affording an opportunity of taking the sense of the House upon each of those distinct portions separately. What objection could be urged to this proceeding, and on what ground? He presumed that, in the opinion of its framers, each part of the measure would bear examination, and that it was not necessary to support the weakness of one portion of it by the strength of the other. He did not know, however, whether there might not be a lurking feeling of dread in the minds of the parents of the bill at the consequences of the proposed separation, and that, having taken a considerable time to produce this sort of political Siamese twin, they were unwilling to consent to a separation, lest the deformity of one should be more striking when it was disunited from the other.

Lord Howick maintained that the two subjects contained in the bill were indissolubly connected. What was the original, radical cause of the great difficulties which were felt as to the collection of tithes? Had they merely arisen from the harassing mode of their collection? No, the great difficulty arose from the rooted hostility of the people of Ireland to that which they considered a gross and crying injustice—the exclusive appropriation of this fund to purposes in which they felt no interest, and from which they derived no advantage whatever. That was the real and substantial grievance. Why then separate the bill? Why disunite what was so intimately connected—the collection and appro-

priation of tithe—thereby only palliating or modifying the symptoms, while the disease in all its force was left untouched? Even, therefore, if the calculations put forward in support of the motion were correct—a question into which he would not enter—they would form a most unsound basis for the conclusion attempted to be drawn from them; for the real and practical ground, on which his Majesty's government proposed this measure, was, that the people of Ireland complained that a very large endowment was at present applied in such a manner as not to make it productive of those purposes of general utility which it ought to produce.

Lord Morpeth admitted that the question mooted by sir R. Peel, “was there an available surplus, after supplying all imaginable ecclesiastical purposes to which the church revenues could be directed?” was a difficult question to deal with. He would admit at once that, in one point of view, and looking to only one object, many things had been advanced on the opposite side which it would be difficult to answer. The arguments used on the opposite side of the House would be irresistible, were it not that they were legislating in respect of a country in which the members of the established church averaged between 800,000 and 900,000, whilst the number of dissenters amounted to 7,000,000. Were it not for the views suggested by that disproportion of numbers a more improved mode of distributing the church revenues than that proposed by the bill might be found. For instance, they might be applied to improve poor livings, or to provide spiritual instruction in parishes in which there were at

present no cures of souls. But the object being to effect a new and final settlement of the question, or what he and those who acted with him thought, might have some chance of being a final settlement of it,—if this opportunity should be lost, he apprehended it never would be finally settled. The Legislature was called upon to show that the immense preponderance of dissenters over those who conformed to the religion of the state was not entirely overlooked in the new settlement of property strictly national. The opponents of the bill themselves were ready to transfer any admitted surplus from any sinecure parishes in Cork or Kerry to remunerate the hard-working clergyman of Armagh, and they would give sustenance to the poverty of Waterford from the richness of Clogher. Well, then, he found them ready to propose that the surplus revenues of one part of the country should be applied for the benefit of other persons of their own creed in other districts. In short, the right hon. baronet was willing to apply them for the benefit of a section, while the government wished to re-appropriate them for the benefit of all. He contended likewise that the revenue would turn out to amount to much more than the sum at which it had been stated by sir R. Peel, and that it would not be under 568,000*l.*, for he maintained that no deduction ought to be made, either on account of the new average, because corn might rise after the passing of the bill, as well as fall, or on account of the opening of the compositions, because they would not be reduced, unless it was fair that they should be reduced; forgetting that the fact of reduction, not the justice or in-

justice of it, was the only element to be considered in this question of amount. Lord John Russell reminded the House of its own resolution, that nothing final or satisfactory could be done, unless the principle of appropriation were fully recognized and declared. Unless they acted in this spirit fairly and frankly, the resistance to tithe would again be as successful as before. After that resolution it was ridiculous to talk of collecting tithe by force. Our Roman Catholic fellow-subjects must derive some benefit from the expenditure, though he by no means wished to see the Roman Catholic church raised upon the ruins of the Protestant church. He would provide for the latter according to the full extent; but if anything should remain after this, he would apply it to the culture of religion and morality in the rest of the population. If they passed this bill, they would render the collection of tithes more practicable, and place the church establishment in a greater state of security than it was before. The Roman Catholics of Ireland would at length see, that they were an object of the fostering care of the imperial parliament. It might be thought that they could not rest with this bill—but could they rest without it? Could they with the divided measure as now proposed, give security to the church establishment and tranquillity to Ireland? Was it possible to go on, after the resolutions passed by that House, in a course which was felt to be oppressive and unjust to their Roman Catholic fellow subjects? They had gone so far that there was no return. If they did not now pass this bill, he was certain they would find it expedient at a future period

VOL. LXXVII.

to agree to a measure which would go yet farther.

Sir James Graham and Lord Stanley lent all their aid to the motion. The latter said, that Sir R. Peel had settled the question. There never was a speech which, by a cumulative process of induction, step by step so triumphantly challenging contradiction, unmet and unrefuted from first to last, led at once and by so unavoidable a consequence to this conclusion—that if they wished to be guided by reason and justice—if they would allow themselves to be swayed by argument—if they wished to avoid absurdity, they must, in compliance with their own resolutions, separate this bill into two parts, and discuss each of the questions it embodied apart from the other. The resolution of the House meant, that if there were any surplus revenue not required for the purpose of administering to the spiritual wants of the Protestant population, such surplus was to be applied to the moral and religious education of the great body of the people. Was the principle of the bill in accordance with that of the resolution? If the resolution meant any thing, it meant this—that a real surplus, and that alone, was to be applied to the purposes of general education. A surplus must at least be considered as over and above something, and, according to the terms of the resolution, it was to be over and above what might be required for the purposes of the established church in Ireland. Were they or were they not to proceed upon that distinct understanding? It could easily be collected, indeed it was distinctly stated by ministers, that whether there was a surplus or not, there would be an application of the

[X]

revenues of the church to the objects of popular education ; it was for this reason that he resisted them, and was prepared to resist them to the utmost. The promoters of the measure did not deny, that there were strictly ecclesiastical uses demanding much greater funds than they anticipated any surplus could ever amount to ; there were, even upon their own showing, churches in ruins, benefices without glebe-houses, a number of parishes without any provision whatever for a cure of souls ; and scattered throughout Ireland there were as many as 3,500 Protestants without the benefit of pastoral care in any shape or form. Would they leave one single case unprovided for ? and yet they talked of dealing with a surplus, when it had been proved that by no possibility could any surplus accrue. But the bill was to be carried at any cost, and a surplus must be made. Were he and those who thought with him, in asking them to separate principles so evidently distinct, calling on them to rescind the resolution in the face of “ a clear and acknowledged surplus ? ” Would they persevere in calling it a surplus, when, by means of demonstration the most positive and indisputable, it had been shown that a surplus was impossible—nay, that, even without the application of a single shilling to the building of glebe-houses or churches, there would be nothing to spare ? Were they not then acting in perfect conformity with the resolution itself, when they resisted a measure founded upon the mere pretence of a surplus ? Would any man in the country believe that a true carrying out of the resolution was equivalent to rescinding it ? His lordship then went into

a number of details to show the ruinous effects of the bill, even where Protestants were numerous and the labour heavy ; and he observed that the proposers of the bill had taken advantage of a not very ingenuous substitution of the word parishes for benefices. A benefice was as much one and undivided as a parish in England. A church was not the church of the parish, but of the benefice ; the clergyman was not the clergyman of the parish, but of the benefice. In the days of vestry cess, it was not the parish, but the benefice on which it was levied. The churchwardens were elected, not for the parish, but the benefice. The commissioners had put this construction on the word “ benefice ; ” they said, “ we understand by the word ‘ benefice,’ where a clergyman has the care of souls ; ” and so any reasonable man would understand it. The report contained the number of benefices with less than 10, 20, 50, 100 souls, and so on ; it stated that an ecclesiastical parish was not synonymous with a civil parish ; that two or more ecclesiastical parishes might be included in one civil parish. Yet ministers took the number of Protestants in an ecclesiastical parish, and that was the way they got at their pretended surplus. He could not help thinking that before they brought forward their plan, they had looked into the returns, and saw that the number of benefices would not leave a chance of a surplus. But they must adopt the rule and interpretation followed by the commissioners : they could not be allowed so to interchange parishes and benefices, and then tell the House that there were 860 parishes in which there was not a single

Protestant. If they had taken the number of benefices (which was the most rational mode) without a Protestant, they would have found that there were just 41 benefices without a Protestant, and that of those 41 benefices, the total income was 2,235*l*. After what had been said about the church of Ireland, the neglect of duty on the part of its clergymen, and its sinecures, 2,235*l*. was the total amount paid to parochial ministers in those benefices where there was not a single Protestant. Now it occurred to him that 2,235*l*. did not afford very ample means of making provision for Protestant instruction, and would go a small way indeed in augmenting poor livings, and in aiding the due performance of divine worship amongst a large and scattered population. Ministers, therefore, were not dealing fairly with this question. They had no surplus. This was a plan to appropriate the revenue of the Protestant church, not to the purposes of that church, but to those of the Catholic church, and he would rather have it so; for sweeping and dangerous as the step might be—and the feeling of the country was now alive to it—dangerous, as the measure was in principle and practice, it would be infinitely less dangerous, less liable to objection, and safer, to take this open course, than to adopt the half-and-half mode of proceeding proposed. Did any man seriously, and in his conscience, believe, after the warning from the member for Middlesex, that this bill would be considered a final settlement of the question? Let ministers take the votes of those gentlemen who believed that this measure was to be a final measure, and make over to him

the votes of those who knew the measure was not meant to be final, and they need entertain no apprehension of any collision with the other House of Parliament. The supporters of the bill as a final measure would dwindle down to a miserable minority indeed. This measure would not allay the hostility of those who were desirous of injuring the revenues of the Irish church; as long as the Irish church had 100*l*. of income, they would not be satisfied till it was taken away, and till the Protestant church ceased to be the dominant church. If it were wished to secure the peaceable collection of the ecclesiastical revenues, and obedience to the law, the proper course was to declare the principle of the bill, as it affected the security of property, and then to carry the theory into effect. Ministers were not called on, in dividing the bill, to repudiate or deny their own principles. Here were two measures, both of which they considered tended to promote the peace and tranquillity of Ireland; and although they were satisfied of their power to pass one of these measures, yet, with their eyes open, they could refuse a great positive advantage, and endeavour to link themselves with those who were seeking to starve out the clergy of Ireland by withholding their legal rights unless coupled with the condition of an alienation of the revenues of the church. They knew that so much of the bill might pass; but because they were not able to pass the whole, they refused to pass any part; and so for another year, perhaps for three or four years, Ireland would not be pacified, and the clergy would be starved. He would tell ministers that they would not succeed, great as were

the privations endured by the clergy of Ireland; he believed that one and all preferred suffering these and still greater privations—even to trust to the precarious support of private charity—rather than that a principle should be carried into effect, which would be destructive of the interests of that religion of which they were the faithful expositors.

On the division, ministers had a majority of thirty-seven, the votes for the motion being 282, and against it 319. This majority insured the success of the bill in the Commons; but its amount, and its composition, left the Lords at liberty to deal with it as they might think fit, without any risk of shocking public opinion. Of the English members, a majority of eight voted in favour of the motion. Among the English and Scotch members, the majority against it was only eight. The balance was made up from Ireland, whose members gave sixty-three votes against the motion, and thirty-four in favour of it.

The bill passed through the Committee without any opposition from the minority; they would not discuss details, which, in their opinion, could not be amended except by omitting them. Ministers themselves introduced a clause providing that the consolidated fund should immediately begin to make an annual payment of 50,000*l.* for the purposes of general education in Ireland, on the faith of the anticipated surplus, from which it was to be repaid. They explained the reason of this to be, that it had been forced upon them, that, in districts affected by the bill, impatience to see it come into operation “might terminate in the most disastrous consequences,” by which they meant, that it might lead to

the murder of Protestant clergymen in parishes where its operation was suspended during their lifetime. This danger, which ministers held to be fanciful and chimerical, would be removed, they said, if payments for education were made to commence immediately by means of an advance, as if the bill had come into operation. The opposition made no objection to the clause as a grant for education in Ireland; but they would not admit that ministers proposed the grant in order to remove what the ministers deemed an absurd and chimerical alarm. On the contrary, it was proposed, because they knew that no surplus would exist, and that the result of the bill would be to the Catholics of Ireland only discontent and disappointment. The radical party divided in the House, on the clause remitting the million which had been advanced to the tithe-owners. They opposed the remission on the ground that, when the grant was applied for, it had been distinctly stated by every member of the government that it was to be considered strictly as a loan which must be repaid, and that there was no reason why the people of England should be burdened with the payment of Irish tithes. Ministers acknowledged that the remission of this sum was contrary to the expectation which had been held out to the legislature, and was a premium to those who had resisted the law, and a penalty on those who had obeyed it; but they justified the remission on the ground that repayment could not be enforced without producing greater evils than those which now existed. It was impossible for the House to insist on payment from the clergy, unless it gave them effectual means—which could only be by force—

of recovering the arrears of tithe from their debtors.

The bill having been passed on the 12th of August, the second reading took place in the House of Lords on the 20th. No opposition was made to the second reading : but it was not concealed that the opposition intended to do in committee what the Commons had refused to do, namely, to strike out of the bill all the clauses containing the new scheme of appropriation, and the machinery by which it was to be made to work. There would thus be sent back to the Commons an admittedly useful Tithe Bill ; and if ministers should be compelled to refuse it by their dependence on the Catholic majority which had carried the measure through the Commons, theirs would be the responsibility of refusing what was good, because they had not got something else which they believed would likewise be good. The House went into committee on the 24th of August, and agreed to all the clauses forming the first part of the measure, with two exceptions. These were the provisions for opening compositions, and for taking a new average. In regard to the compositions, the conservative peers took their stand on the positive injustice of opening up existing contracts which had been entered into on the faith of acts of parliament, especially after the lapse of many years, during which it was probable that all the evidence and all the memoranda of payment, on which the compositions proceeded, had been lost. Fraud, concealment, or circumvention, ought to justify the opening up of compositions ; but this was already provided for under Lord Stanley's act. Though there had been 1,505 compositions under Mr. Goulburn's act of 1815, there had been no

more than thirty-nine appeals, and in only three of these cases had the amount of composition been reduced. Under Lord Stanley's bill for compulsory composition there had been eighty appeals, and the composition had been reduced in only fourteen. These circumstances clearly proved that there had not been excess in fixing the amount of composition. In answer, ministers contended that although the clause might not be altogether justifiable on strict principle, it was harmless and useful as a part of the general arrangement. Great dissatisfaction prevailed regarding the existing compositions, which were felt to be burdensome, some of them having been fixed carelessly, without sufficient inquiry, and others on the basis of a corn-price much too high. Those which took place under Lord Stanley's act had been entered into during a time of great excitement, when people did not care whether the compositions were made high or low, because they had determined to pay no tithe at all. In these circumstances it was thought proper to admit a deviation from strict principle. Besides, this clause contained one of the conditions on which the Irish landlords in the House of Commons had agreed to take upon themselves a new impost for the support of the clergy, and therefore it ought not to be departed from. The committee expunged the clause. A majority of 126 to 35 likewise struck out the clause for a new average, on the ground that it was a plain and violent interference with contracts which had been entered into for twenty-one years under the existing composition acts. It was not less unjust than if Parliament were to step in between the contractors for a government loan and their fair profits,

because the value of stock had changed after the contract had been concluded and acted on.

All the other provisions connected with the collection of tithe, and reducing its amount—all that formed the proper Tithe Bill—were agreed to; and when the House arrived at the first of those which formed the new system of appropriation, the Earl of Haddington, who had been Lord Lieutenant of Ireland during the late administration, moved that they should all be omitted. He would not enter, he said, into the details of the question whether there would or not be a surplus. He considered that matter settled, and that the idea of a surplus was visionary; but even if it were not, there was more than enough in this scheme to call on the House to reject it, as the most deadly blow that could be aimed at the Protestant religion in Ireland. He did not object more to the sequestration of benefices which it effected, than to the principle on which that sequestration was made. *Pro hac vice*, there was a limitation to the principle as to place and numbers; but that limitation did not tend to lessen the dangerous operation of the measure. The place in which the principle was to operate was at present confined to Ireland; but if they adopted that principle, the time might come when it would be considered that it should be applied to England also. In the majority of parishes in England the members of the Established Church composed the greater number of the inhabitants; but there were others in which they might and did now form a small minority. The principle was limited *pro hac vice* to fifty Protestants; but what was there magical in that number, that it should be always adhered to?

Suppose the numbers of Protestants and Catholics should be taken comparatively, and that there should be 100 Protestants and some 4,000 or 5,000 Catholics, the principle would be as applicable in that case as it was at present. The bill carried with it a dangerous temptation. It promised a surplus revenue to be applied to other than Protestant ecclesiastical purposes; and the very same arguments, which were now used for the operation of the bill in parishes where there were not fifty Protestants, might hereafter be used to extend its operation to cases where there were less than 100. This bill, after annihilating 860 parishes with fewer than fifty Protestants, would leave 1645 parishes containing more. But there were many parishes with only between 100 and 50 Protestants. These latter would probably be the next victims to the principle of the bill, in order to satisfy the clamorers against the established church. No wonder that this scheme had been opposed in the Commons by the majority of the members of England and Wales, and that it should at length have been carried by a majority scarcely greater than the numbers of the Catholic members returned under the influence of the Catholic member for Dublin. It was true that the Temporalities Act suspended the presentation to benefices in certain circumstances; but it did not do so on the principle of the number of Protestants in the benefices, and it carefully preserved their revenues for the purposes of the Church of England. That bill, however, had been urged on Parliament as a great and final measure; as such only had their Lordships passed it; and this was the end of its finality. Here was

already a measure by which the Catholics were made the heirs of the Protestant Church in all the parishes where the bill would operate; and from this feeling they had a temptation in every instance, where the attempt was not hopeless, to reduce the number of Protestants to what had been termed "the parson point." Suppose there were fifty-five Protestant inhabitants in a parish—it would not be very difficult on the part of the Catholics, by means of intimidation, to drive them out to where they might lead a quiet life. There was a temptation held out to them so to intimidate the resident clergyman as to induce him to create a vacancy: for in all those parishes where the Protestants were under fifty, the bill would not come into operation, until a vacancy was created by the death or resignation of the incumbent; and even from the short experience he had had in Ireland, he could assure their Lordships that they could not do anything more destructive to its tranquillity than to create any feeling which would rouse up the spirit of intimidation, and more particularly on grounds connected with religion. But, 50,000*l.* were to be paid by the consolidated fund, and this, it was said, would lessen the temptation. This might be true, if all that the agitators of Ireland wanted was to get the 50,000*l.* for the purposes of education; but did any man, who had any knowledge of the subject, think that all that those agitators wanted was the 50,000*l.*? Was it not notorious that their aim was at nothing less than the leveling of the Established Church? The time might come, and there was no telling how soon, when their Lordships might feel themselves called on to declare, whether they

would support or abandon the Protestant institutions of the country. Let them not defer the declaration until it might be too late to make it with effect. He therefore moved that all these clauses should be omitted.

The bishop of London, in supporting the motion in a very powerful speech, stated that his vote had been gained for the Temporalities' Act, although it contained things of which he could not approve, by a conviction that some concession should be made for the sake of pacifying Ireland, if no great principle was sacrificed, and on a personal assurance from the ministers of the crown that it was to be a final measure. The government had no means of escape in regard to the present bill, but by shewing, if they could, some imperative and overwhelming necessity. But what necessity existed now, which was not the same in 1833? If there was no difference, as it was plain there was not, or should not be, why was the principle of this scheme not pressed then, and why was it pressed now? It was an abstract principle floating in the political atmosphere in the shape of a bill, till some convulsion of the elements should bring it down as a thunderbolt on the devoted heads of the Irish Protestants. It was necessary, forsooth, to pacify Ireland. This a measure of pacification! It dealt not with Ireland in the mass, but with parishes. Religious discord was said to be the bane of the land;—yet this bill went from parish to parish fomenting, continuing, and exciting discord between Protestants and Roman Catholics. They proposed to pacify these parishes. How? By exterminating the Protestants. It was said, too, there was a necessity for

giving the Roman Catholics instruction. He admitted that, in every well-governed Christian country, it was the duty of the state to provide education for the poor, or rather to assist the poor in providing education for themselves. But if it were a duty to educate the poor Irish, was it not the duty of the landholders, and of the people themselves, rather than of the church? Or, as these were the days of experiment, why not, as had been done in other cases, appropriate a certain sum of money for national education? The nation could afford it—the church of Ireland could not. The nation, too, would be the gainer, for every body who had anything to lose was a gainer by the education of the poorer classes. Another alleged necessity was that of pacifying the Roman Catholics. Had not their lordships already had abundant experience of the futility of all such efforts? Had any measure, produced though it might have been under the happiest auspices, succeeded? Had they not each and all signally and lamentably failed? It seemed to be a peculiarity in Irish legislation that there never was to be in any of its acts a principle of finality. Every thing was to be tried, and each successive experiment, like the last, was found to fail. In this measure, however, there *was* a principle of finality—there was the germ of something conclusive—there was the seed of destruction and extermination. If they were to pass that bill, they might as well embody a clause in it, that in the year 1840, or at all events at no distant period, the Protestant church of Ireland shall for ever cease. If the Roman Catholic priesthood had contented themselves with giving expression, he cared not in what

terms, to the asperity of their feelings towards the church, they might talk of it as blood-sucking, anti-national, heretical, what they pleased. But they had described it as a badge of conquest and a token of slavery. Well; if it were so, when government had stripped it of some 800 parishes, would it not still remain as much a badge of conquest and token of slavery as before? Would it not continue to be so, until it was utterly exterminated from the land? Undoubtedly it would, and the course would be this: to-morrow a little more of the ornamental foliage (as it would be styled) would be torn from the tree; then there would next be made an incision or two in the stem, then would the bark be stripped off, and at last the enemy would come with the deadly axe, to strike at the root and cast down the trunk and throw it on the fire. Within the last thirty years, more than 600 new churches had been erected, and as many glebe houses. Would one of them have been built, if this bill had been passed at the time of the Union? The fate of Protestantism was wrapt up in the decision they were about to pronounce. If the light of God's truth was still to burn on the altars of our sister isle, and to shed a dim yet pleasant light on a people truly sitting in darkness and in the shadow of death, it could only be maintained by the resolute upholding of the Protestant church. And this was the first step—no, not the first step, but the most gigantic and determined stride—yet made towards the suppression of that church. They ought, as true Protestants, to deal with Ireland as a country that should become Protestant; but the direct tendency of this measure was to Papalize

Ireland, and exterminate Protestantism. Every parish containing fewer than fifty Protestants was to be deprived of a resident clergyman, with all the supports, encouragements, and consolations he was enabled to afford, and the necessary result must be, that the Protestants would be obliged to expatriate themselves. To say nothing more, the passing of such a measure as this would inspire incalculable courage and confidence into that band of men, neither few nor contemptible for their talents and industry, who, not to use harsh names, viewed the Protestants and their establishment with feelings of malignant hostility—who, whether by storm or spite, by force or fraud, whether by open and honourable hostility, which could be confronted and defeated, or by malicious insinuations, innuendoes, or false reproaches, with which it was painful and difficult for an honourable mind to contend, were bent on effecting the destruction of the Protestant church of England, but knew, nevertheless, it was hopeless to attempt it, while the Protestant church of Ireland stood. Once allow them to whet their swords in that establishment, and they would come on flushed with confidence to the attack against themselves. We have succeeded once, they would say, though under circumstances of great discouragement and fear, in opposition to the most sacred principles, the holiest feelings, the loveliest sympathies which can inspire the human breast—we have succeeded in the teeth of acts of parliament—in spite of a solemn compact—in defiance of the prospects formerly held out by those now supporting our views; think you we shall be less successful when we have a much richer prize be-

fore us—when the victory will be so much the more glorious?

The bill was defended by the marquess of Lansdowne, Clanricarde, and Conyngham, lord Plunket, lord Brougham, and lord Glenelg. They would not maintain, they said, that the measure had in it nothing anomalous, or was altogether free from defects: but Ireland was itself a bundle of anomalies, and they must compound for what was more objectionable by taking what was less so. They would not be anxious to transfer the establishment from one religion to another, merely on the score of numbers; but unless it was to be maintained that the established religion ought to be that of the minority, the House could not shut its eyes to the fact that they had about 800,000 Protestants in the establishment, and more than 7,000,000 out of it. This was the case with which they had to deal; and the longer they delayed, the more imperative and difficult did it become. The Temporalities' Act, proposed and carried through by some who were the most determined opponents of the present measure, had been an arrangement of the same kind; and this bill, in truth only carried out the principle of the Temporalities' Act. The preamble of that act recited that the money should be applied to the uses and objects therein pointed out, "and to such other purposes as may conduce to the advancement of religion, and to the permanency, efficacy, and stability of the church of England." Now, whatever tended to promote general education, must also advance the interests of the church of England; and the more we contributed towards the education of the Roman Catholics, the more we assisted the advancement of the

Protestant religion ; because if we believed our own to be the true religion, it was evident that the better they were educated, the better chance there would be of their becoming Protestants. What the bill did was no more spoliation, than that which its opponents declared themselves willing to do ; for they admitted that the surplus revenues in one place might be applied to ecclesiastical purposes in other places less scantily supplied. Now, the church was not a corporation ; it was a bundle of corporations. Each parson and each bishop was a corporation sole, and a dean and chapter was a corporation aggregate. Suppose in the municipal Reform Bill they were to say London is a corporation, and Liverpool is a corporation, and Bristol is a corporation, and so is Havering-atte-Bower, and Sutton Coldfield. According to the arguments used against this bill it would be lawful to take the property of the corporation of London, and of the corporation of Liverpool, and of the corporation of Bristol, which were all rich corporations, and distribute it among the corporations of Havering-atte-Bower, and of Sutton Coldfield, which were poor corporations. Suppose they were to say “ I will take care that this property shall not go out of the corporations ; what I take from the rich I will distribute among the poor, and therefore there is not, there cannot be, any spoliation,”—the argument would be derided, and by none more than by those who now actually used it in regard to the church ; for, when the object was to distribute the funds of the rich ecclesiastical corporations among the poorer ones, it was no spoliation ; but as soon as you took the funds out of the pale of those corporations, and pro-

posed to apply them to the promotion of sound education, to the advancement of the Christian religion, to the promulgation of good morals and sound principles, and to the propagation of true piety among all sects and classes of his Majesty's subjects without distinction, then it became robbery and spoliation and every bad name which the vocabulary of theological hatred could either recollect or devise. Above all, for the sake of the clergy themselves the bill ought to pass. If it did not pass, it was clear that tithe could not be collected ; and if tithe could not be collected, the clergy must starve. Moreover, the clergy owed the public 650,000*l.* advanced to them out of the million, and which by statute must be repaid, unless this bill passed. To reject it therefore would be inflicting one of the most cruel curses that could possibly be imagined on the pious individuals whom their lordships declared their readiness to protect. They were now sending back this bill to the House of Commons, there to be flung out ; and at the same moment in which they were consigning themselves to the admiration of the country, with hollow professions of friendship for those whom they were in point of fact abandoning, they were leaving the objects of their professed friendship to the tender mercies of a process out of the Exchequer in Ireland. They were about to pass a vote which would at once cut off the collection of tithe for the future, and enforce a debt connected with it for the past. Lord Melbourne formally announced that, if the motion were carried, he would abandon the bill. He would not be a party to sending it back to the House of Commons in a shape,

both as to form and as to principle, which would compel that House to reject it entirely.

On the other side, it was admitted that difficulties might occur, if ministers persisted in abandoning the bill, and committing injustice by proceeding against the clergy for advances, which, in truth, had been made not to them, but to catholics from whom government had refused them the means of recovering their just debts; but whatever difficulties might occur would be attributable to ministers alone. If ministers had gone along with the conservative Whigs, instead of going along with the desperate party, eagerly bent upon attacking and destroying the protestant church of Ireland, that desperate party could never have carried this question, or placed their lordships in their present distressing and painful situation. Those who believed that this bill was iniquitous in itself, and involved the destruction of the protestant church, could not be called on to agree to it even by the threat that its rejection would for a time unjustly expose the protestant clergyman to undeserved hardships. Considering the manner in which this measure had been brought forward in the other house of parliament, and all that had passed in that assembly upon this subject, it was not fair that the responsibility of danger arising from the rejection of this measure should be thrown upon those whom a sense of duty compelled to vote against it.

On the division, ministers were left in a minority of 97—the motion to omit all the appropriation clauses being carried by 138 against 41.

Ministers persisted in their threat of abandoning the bill, which accordingly was no farther proceeded

with; and in truth the catholic majority of ministers in the house of Commons had placed them and that assembly in a position which rendered honourable retreat impossible, while the Lords found that their proceedings were in no degree unpalatable to public feeling and opinion. The consideration, however, which in all these discussions had been strongly urged in favour of the bill—that, unless it were passed, the Irish clergy must repay the advances made to them — immediately disappeared; for on the 29th August, the chancellor of the exchequer brought in a bill, not remitting these advances, as was done by the abandoned measure, but empowering the government, on application from the clergy, and on satisfactory proof being given that the parties were not in a condition to pay, to suspend the claim for the instalment which was due, to the 5th of April, 1836. If this power were not given to government, he said, they would have no alternative but the very cruel and useless one of proceeding against every member of the Irish clergy. As the law now stood, it was imperative on the government at once to proceed and put in suit all the claims of the crown for the recovery of the unpaid instalments of the 1,000,000*l.* advanced by parliament to the Irish clergy; in fact, to take proceedings against all the clergy of the Irish church, even in cases where the individuals themselves had received nothing, and possessed no means of payment. The consequence must be, that such steps would not only be most harsh and cruel but wholly inefficient for any good purpose. The bill passed both houses without opposition.

While the government was thus

involved with the church of Ireland, it likewise contrived, in consequence of the necessity under which it was placed, of standing well with the dissenters, to put itself in opposition to a very different establishment—the established church of Scotland. That church had found the means of spiritual instruction in many places greatly disproportioned to the amount of the population. The leading members of the church had made application to former governments for assistance to a very limited extent, and their application had been favourably entertained. Mr. P. M. Stewart stated in the house of Commons, on the 20th of May, that he had been one of a deputation who had waited on lord Brougham, when lord chancellor, and lord Melbourne, regarding this matter, within the last two years; and the impression made on himself, as well as on all the other members of the deputation had been, that these two noblemen were favourable to the grant. The request indeed was a very moderate one. Nothing was asked for building new places of worship: the members of the established church themselves undertook to supply these funds, and had already raised, by private subscription, about 80,000*l.* All they wanted from government was an annual grant, which would not have exceeded 10,000*l.*, to aid the very moderate stipends intended to be paid to the new clergymen. Sir Robert Peel recommended the grant. In the royal speech at the opening of the session, his majesty had said:—“ I feel it also incumbent upon me to call your earnest attention to the condition of the church of Scotland, and to the means by which it may be enabled to increase the opportunities of

religious worship for the poorer classes of society in that part of the united kingdom.” This recommendation had been echoed in the address; it formed no part of the subject matter of the amendment carried by the parties who were then in opposition. When these parties, however, had again stormed the cabinet, they regarded the proposal with a cold and unfavourable eye; the dissenters had raised their voice against public money, supplied by the contributions of all, being given to an establishment whose creed was only that of a great majority of the community; and ministers could not afford to quarrel with the dissenters, although the scheme for increasing the means of the Scotch church had been unanimously approved of by the general assembly, where those, who in politics were held to be adherents of the present ministry, now formed the ruling party, and although a deputation from the assembly had been sent to London to urge the application upon government. Sir William Rae moved that the petitions for a grant to the church of Scotland should be referred to a select committee, “ to inquire and report how far the building and endowing places of worship is required for the moral and religious instruction of the lower orders of the people of Scotland.” The lord Advocate of Scotland immediately delivered a thoroughly dissenting speech against the motion. He admitted that there were many petitions in favour of the grant; but there were likewise, he said, many against it, coming from persons differing from the members of the established church of Scotland, not in doctrine or in morals, but only in church government, and that that circum-

stance introduced no small difficulty into the decision of the question whether a pecuniary grant ought to be made for the purposes now advocated. One party insisted that in some particular parish such a grant was necessary for the religious instruction of the people; another party insisted that it was not wanted, and that it was only a pretext to strengthen the influence of the established church. The same allegation on one side, and the same denial on the other, was made in every parish throughout Scotland. How could the truth or falsehood of these conflicting statements be investigated by a committee up stairs? How could such a committee decide in what parishes it was necessary to build new churches, and in what parishes it was only necessary to repair or enlarge the old ones? To whom was such a grant to be made, and from whose pockets was it to be taken? Would any man say that the attendants on the worship of the established church of Scotland were not as numerous and wealthy as those who composed the congregations which dissented from its doctrines? No man could deny the great aid which dissenting congregations had of late years afforded to the cause of religion. If then such was the case, ought not the house to be reluctant to take money from the public purse in aid of a church which the dissenters said it was unjust to call upon them to support? The house was bound to respect the feelings of such men; for they had strong grounds for urging that they ought not to be called upon, contrary to their opinions and their consciences, to give to the established church, that pecuniary aid which it was

admitted that they gave at present in another way to the cause of religion. The church ought to stand unimpeached in the face of the country; and it ought not to take any measures likely to offend those who, though they differed from it in government, did not differ from it in creed and morality. A grant of this kind, if given, ought to be given upon the urgency of the case; but how was the urgency of the case to be ascertained by a committee? He therefore moved that an address be presented to his majesty, "praying that he will be graciously pleased to appoint a commission to inquire into the opportunities of religious worship, and into the means of religious instruction afforded to the people of Scotland, and especially to the poorer classes of the community, whether they belong to the established church, or be of any other religious persuasion; and into the state of the law for repairing or building churches; and into the funds which may now be, or which may hereafter become, applicable to that purpose." The subject having been resumed on the 1st of July, lord John Russell, who, in the mean time had been in communication with the deputation of the Scotch church, treated the subject in a more prudent tone, and moved an amendment somewhat differently expressed. He informed the house, that those, who on the part of the church had appeared in the metropolis, were perfectly willing that an account should be taken of all the means and opportunities of public worship which were really afforded by any religious denomination; so that now upon that material point there did not appear to be any difference be-

tween the two parties. Still there was a question, partly of fact and partly of principle, which remained to be decided. Those in favour of the grant urged, that when they had taken into account all the means which the established church of Scotland could afford, and when they had added to those means the places of worship and the means of instruction now afforded by the seceding or dissenting ministers, there still remained a large mass of the population to whom no sufficient religious instruction was supplied, and who, if they were to obtain the opportunities of religious worship at all, could only obtain them at a price and sacrifice of money which the poorer classes were unable to afford. If it were true that there was a large mass of the population in Scotland to whom the means of religious instruction were not afforded, either by the establishment or by those who dissented from it, there remained the question, whether we should not supply that deficiency by an immediate grant from the public purse, or ascertain if there was not now, or might not be by law, means available for the purposes of the established church. He thought it impossible for the ministers to come to parliament to propose any grant of money, until that question was effectually set at rest. A committee might be satisfied, no doubt, without much delay, of the case of the petitioners for the grant; but if the grant were made when only one side had been heard, it would be against the wishes of a great part of the people of Scotland, who would say that the evidence they were prepared to adduce had not been heard, and that the government had come to a decision on a partial and uni-

lateral view of the question. It was absolutely necessary, therefore, that the inquiry should be conducted in the most impartial manner. He proposed "that an humble address be presented to his majesty, praying that his majesty may be graciously pleased to appoint a commission to inquire into the opportunities of religious worship and the means of religious instruction, and the pastoral superintendence afforded to the people of Scotland, and how far these are available for the religious and moral improvement of the poor and working classes; with a view to obtain information with respect to the state of their attendance on places of worship, and their actual connexion with any religious denomination; to inquire what funds are, or may hereafter be available for the purposes of the established church of Scotland, and report from time to time, in order that such remedies may be applied to any existing evil as parliament may think fit." He was authorized by those persons of the greatest eminence in the church of Scotland, who were most anxious for this grant, to express their concurrence in a motion to that effect: and he assured the house that the commissioners would be persons of the highest character, in whose impartiality, integrity and honour the utmost reliance might be placed. Sir Robert Peel acquiesced in the appointment of a commission in consequence of the late period of the session; at an earlier period he would have preferred a committee. He wished, however, that words should be inserted in the address, expressly recognizing the church of Scotland as an established church, standing on precisely the same ground with that of England; but lord John Russell declined the

suggestion, on the ground that it was unnecessary and unimportant; that he admitted the rights and character of the established church of Scotland as broadly as they could be stated, and that the terms of his motion had been supplied to him by members of that church.

The commission issued, and the names of the "persons of the highest character," in whose impartiality the utmost confidence might be placed, of whom lord John Russell had assured parliament the commissioners would be composed, excited in Scotland loud dissatisfaction and undisguised disgust. It was not merely composed of persons who were Whigs, or "something more than Whigs;" it was not to be expected that the political opponents of ministers should share in the patronage of a paid commission. The earl of Minto, Mr. Mountstuart Elphinstone, and the member for the county of Dumfries were merely the ornamental part of the commission. The procurator of the church of Scotland was a most proper person to be named, in respect of his official situation. The working men, with one exception, consisted of unknown Whig partisans from the Scotch bar; and that exception was a gentleman distinguished by being a writer of novels and a near relation of lord John Russell. The other five "persons of highest character" were gentlemen whose names were unknown, not merely in the country, but in their own profession. That they were professionally unknown might be no fault of theirs, for four of them had not been eight years at the bar, and one of them only four; but this very inexperience, and

want of all business habits were the greatest possible draw-backs on their claims to be persons of the highest character for conducting such an inquiry. The "impartiality," too, of which government had given assurance, was not to be discovered. One of the five barristers was not only a dissenter, but had published a book against all religious establishments;—surely the worst qualified person in the world to collect and class with impartiality facts and circumstances on which the necessity and propriety of assisting such an establishment were to be decided. Of the other four gentlemen, ostensibly connected with the established church, one had declined to be returned as a member of the general assembly on the ground that his mind was not made up as to the propriety of continuing the connexion between church and state, and that he objected to additional endowments to the church; and another had distinguished himself as a requisitionist for calling a public meeting in Edinburgh to petition parliament against the connexion between church and state.

So soon as the names of the commissioners were known, the committee of the general assembly, appointed to follow out the application, made a remonstrance to the secretary of state, on the 31st. of July, against its composition. No answer having been returned, the commission of the general assembly met on the 13th of August, and all but unanimously passed a resolution, "That the commission of the general assembly feel it incumbent on them in the discharge of their duty to the church of Scotland, to state to the government the sentiments they entertain of the constitution

of the commission; that they do not consider it entirely friendly to the church, individual members having publicly professed opposition to the connexion between church and state; and farther, that, with few exceptions, it does not contain the names of individuals of experience, or men interested in the church, and that on those grounds the commission is not entitled to the confidence of the church." This resolution was directed to be transmitted to lord Melbourne and lord John Russell, with a notice that only three members out of ninety-three had dissented from it. The majority comprehended the most steady supporters and followers of the ministry both clergymen and laymen. This resolution produced no change in the composition of the commission; and when lord Aberdeen brought the matter before the House of Lords (August 28th) lord Melbourne maintained that the greatest recommendation of the commission lay in the fact that the dissatisfaction which it had excited in Scotland was not of a party nature, but was extensive and universal; for this proved, according to the logic of lord Melbourne, that the commissioners must have been impartially selected, since nobody was pleased with them. Neither did he conceive it to be any objection to a gentleman acting on such a commission, that he had written a book against the principle of all establishments: for he had always found that the best way of mitigating extreme opinions was to employ the parties holding them in the public service—not that he supposed the modification of sentiment to arise from sordid motives

—but because he was aware that when such men came to be practically acquainted with business, they saw the unwiseness and expediency of extreme measures, and as they were persons of vigorous intellects, they became useful public functionaries. On the other hand it was maintained, that not only was the composition of the commission bad, as containing persons declared enemies of all establishments, and so many persons of no character in the country to command respect, and of no experience to invite confidence, but that the commission itself, and the instructions under which it acted were illegal. When the church of Scotland applied for a grant of public money, parliament was clearly entitled to enter into the statistics of the question; but this commission went a great deal farther, authorizing investigations into matters which no layman could touch, and inquisitions into private property which were utterly illegal. The commissioners were not only to report the comparative numbers of the members of the established church, and of dissenters—again bringing out the mischievous principle of numerical proportion—but “to inquire into, “and state generally the religious “instruction and pastoral superintendence afforded by the clergy “of the established church, and of “other religious denominations to “the people, more especially to the “poor and the working classes;” and to inquire into “the gross “amount of teinds, valued and “unvalued, whether belonging to “the Crown, as having formerly “been part of the royal revenue, “or as bishops’ teinds, or from any “other title, and the value thereof,

“and the application of the same ;
 “as also the teinds belonging to
 “other persons, and in what man-
 “ner they are held or disposed
 “of.” But the king was not the
 head or visitor of the Church of
 Scotland ; by law he had no
 authority in ecclesiastical matters
 —no authority to control reli-
 gious instruction “and pastoral
 superintendence.” It was true
 the presence of his representative in
 the capacity of chief civil magis-
 trate was recognized in the general
 assembly ; but the assembly could
 meet, and did meet, without his
 intervention. The king could not
 delegate to these commissioners an
 authority to meddle with the dis-
 cipline and government of the
 Scotch church, which he did not
 himself possess. Again, in Scot-
 land the teinds were entirely pri-
 vate property ; some being in the
 hands of titulars (persons in the
 same situation as lay impropriators
 in this country), and the greater
 part being held by landowners,
 who had purchased the tithes of
 their own land, and had as good a
 right to them as to the remainder
 of their estates. The teinds were
 not the property of the church of
 Scotland, which was merely en-
 titled to a competent stipend out of
 them, to be determined by the court
 of session at Edinburgh. The re-
 mainder was private property ; and
 though the amount of teinds might
 be augmented, it was impossible
 to appropriate them to the support
 of an additional church or minister.
 This species of property, then, was
 not open to the proposed inquiry.

In consequence of this discussion
 lord John Russell addressed an
 official letter to lord Minto, who
 was at the head of the commission,
 intended to allay the fears which
 had been excited, or to explain the

misapprehensions which had been
 entertained, regarding the ob-
 jects of the commission.* In the

* His lordship's letter was as fol-
 lows :

“Whitehall, August 31, 1835.

“My Lord—I am sorry to find, that
 in the excitement which prevails in
 Scotland on the subject of a parliamen-
 tary grant to the established church of
 that country, some fears and misunder-
 standings have arisen with respect to
 the royal commission, at the head of
 which your lordship has been placed.

“I need only advert shortly to the
 complaints which have been made, by
 members of the church and by dissen-
 ters, of the composition of the commis-
 sion. The resolution which has been
 sent me on this subject from the com-
 mission of the general assembly, seems
 to take for granted that the cause of the
 dissenters was to have no advocate of
 zeal and ability on the commission, and
 that impartiality in the majority of the
 commissioners is a serious fault. The
 dissenters, on the other hand, seem to
 assume that men zealously attached to
 the Church of Scotland will decide with-
 out sufficiently hearing the objections to
 the grant, and they seek the admission
 of a greater number of partizans to re-
 dress the balance. But admitting, as I
 do, that the number of members of the
 commission attached to the church pre-
 ponderates greatly over those who have
 any bias towards the Seceders, I cannot
 think I have been wrong in endeavour-
 ing to give to the whole commission as
 a body, a character of calmness and im-
 partiality.

“More serious misapprehensions have
 taken place respecting the terms of the
 commission. It has been supposed,
 most erroneously, that the commissioners
 were to inquire into the kind of pastoral
 superintendence given by the clergy,
 instead of its amount. The words are
 used both with respect to the clergy of
 the established church and of other de-
 nominations, and it is evidently not in-
 tended, with regard to either the one or
 the other, to interfere with discipline or
 internal arrangements.

“Another misapprehension is, that
 the commission may interfere with pri-
 vate property. Your lordship will, of
 course, carefully guard against any sup-

mean time, some provincial synods had shown an inclination to pay no regard to the commission. The great body of the church, however, whatever might be their opinion of the conduct of government, did not wish that they

position of this sort, and no allow it to be for a moment supposed that we mean to disturb those acts of the Scottish parliament, which transferred the tithes from the church to the lay proprietors of Scotland; but you will endeavour to ascertain what is the property which may yet, by existing laws, be made available for the purposes of the church.

“In the heated state of men’s minds upon this subject, your lordship will, I am sure, be particularly cautious in your manner of conducting local inquiries; I should advise, that keeping the terms of the commission in view, you direct your first attention to cases where it is alleged that there is any want of the opportunities of public religious worship, and the means of religious instruction and pastoral superintendence. In such cases I should recommend that two commissioners, or one commissioner and one assistant commissioner, should be sent to make full inquiry into the circumstances of the district, and that you select the persons in such a manner, that in every case one of them should be a person of unquestionable attachment to the church. They may report either together or separately to the general body, and any three or more of you may transmit these reports to the Home Office, from time to time, to be laid before his majesty.

“I need not say, as I have already explained, that it is not desired or expected that the relative numbers of churchmen and seceders in all Scotland should be ascertained; but where it is alleged that new churches and new ministers are required, it will be necessary to obtain an account of those who attend dissenting chapels, in order that the void not filled up by any religious sect or worship may be measured and defined.

“I trust that in the course of six months from this time, the greater part of your task will be completed.

“I have, &c.

(Signed) “J. RUSSELL.”

should give their adversaries any advantage, by appearing to shun inquiry; and another meeting of the commission of the assembly was held on the 30th September. It was attended by no fewer than 155 members, viz., eighty-five clergymen and seventy lay elders, who unanimously passed the following resolution: “The commission having maturely deliberated on the instructions to the royal commissioners for inquiring into the means of religious instruction and pastoral superintendence afforded to the people of Scotland, express their deep regret that his majesty’s ministers have not been pleased, in consequence of the judgment of the last meeting of the commission of the general assembly, to make any change in the composition of the said royal commission. And whereas that commission, from its authorising the commissioners to inquire generally into the opportunities of religious worship, the means of religious instruction, and the pastoral superintendence afforded to the people of Scotland, may be, and has been, interpreted as at variance with the principles and polity of the established church, and as calculated to weaken or to overthrow it, particularly in so far as it seems to involve in it a principle subversive of this and all other ecclesiastical establishments, viz. that whenever religious instruction and pastoral superintendence are found to a certain extent afforded by any sect or denomination whatsoever, there the services of an established church are not required, and may be dispensed with; the commission of the general assembly publicly and solemnly protest against whatever has such a tendency, and declare that they consider it to be

the sacred duty of the legislature to support and to protect the national church, and to secure accommodation and religious instruction to the people of Scotland, so that they may attend regularly upon divine ordinances, and may profit by the pastoral exertions and superintendence of its ministers. With a view to these most important objects, and under the protestation herein contained, they approve of such members of the church as may be required to do so by the commissioners nominated

by his majesty, furnishing accurate information as to all statistical matters; and also approve of all church courts, allowing inspection of, or giving extracts from, their records, of all entries relating to the same matters; it being clearly understood, that the commission of the assembly hold, that it is not competent to the commissioners to put to individual members any questions relating to the doctrine, worship, government, or discipline of the church."

CHAP. XII.

Discussions regarding Orange societies in Ireland—Motion for addresses presented by them—Select committee to inquire into their extent and tendency—Mr. Hume's resolutions regarding Orange Lodges in the army—Case of colonel Fairman—Proceedings in regard to contested elections—Leicester—Cork—Dublin—Ipswich. Special report—Proceedings against witnesses for evading service of summons—Great Yarmouth—Select committee to inquire into allegations of bribery—Proceedings against witnesses for refusing to answer—Motion for the introduction of vote by ballot—Bill for limiting the time of polling at contested elections—Report of a select committee for admitting ladies to the debates rejected by the House.

THE influence, which the Irish opposition had acquired by its union with the ousted cabinet, manifested itself early in the session by the commencement of a series of parliamentary attacks directed against the Orange Lodges. Ministers were asked in the House of Commons, on the 4th of March, if it was true that addresses had been presented to the king from Orange societies, and that answers had been returned bearing that they had been graciously received. The secretary for the home department stated, that when addresses or petitions were forwarded to be presented to the king, no offence was ever taken at the particular appellation which the parties might assume, provided the language which they used was becoming. He had presented addresses from persons who described themselves to be members of Orange societies, and from persons who described themselves to be members of Trades Unions; and the answers were given to them not as members of these societies but as indi-

viduals. A discussion ensued, in which it was first assumed that Orange societies were illegal, and then government was accused of encouraging these illegal societies by appointing to offices persons who were known to be members of them, and by receiving addresses from them to be presented to his majesty. Mr. O'Connell admitted that there was no law which declared Orange societies to be illegal; but he maintained that as they were societies from which Catholics were excluded, government was bound to adopt all possible means of discouraging and dissolving them. On the 6th of March, Mr. Sheil moved for the production of addresses presented to the king from certain Orange societies, and the answers which had been returned to them. The papers were immediately granted; but this did not prevent a discussion distinguished principally by the unbounded and rabid abuse which the Irish opposition poured out upon the Orangemen, and the rational sensible advice which sir R. Peel gave to the House. The

question, he told them, was not as to the precise legality of those associations. It was possible that associations might strictly conform to the law, and yet that all their evils might remain. The evils were not cured by making them conformable to law. The real danger was not in a breach of the law, but in the encouragement of angry feelings. It might be the fact that exclusive associations were not in precise conformity to the law; but still causing them to conform thereto might not alter them from that which constituted the real objection to their existence. He knew of no law that could be passed to prevent Orange associations, or to prevent them from excluding Roman Catholics. The House might pass a law to prevent the members of the association from administering an oath; but if it did, and they substituted a declaration in lieu of the oath, then the principle of the exclusive confederacy would remain and the evil continue. In his opinion the most unwise course had been taken with respect to those societies; the members of them had been taunted and treated in a way calculated to afford them an excuse for the continuance of their associations, and for coming to a determination not to yield to threats and menaces. He had ever thought the best mode of proceeding in reference to them was to use that language towards them, which would not only induce them to conform to the law, but which might induce them to see the danger of encouraging angry feelings and of keeping up the commemoration of a memory that was no longer necessary for any good purpose, and only widened the dif-

ferences of opinion which at present existed between portions of the community. He trusted that an example would be set to discourage such associations, as dangerous in their tendency; and, above all, to dissuade from an unnecessary irritation by the commemoration of events on the part of some, which others looked upon with different eyes. Their addresses had been received and answered as all others were, according to a useful and necessary general rule, which could not be departed from, unless the illegality of these societies were to be assumed. The bill of rights secured to the subject the right of petitions; and was it now to be inculcated, that, before his majesty received the petition of a certain number of his subjects, he was to enter into minute inquiries as to what associations they belonged to? Political Unions had been denounced; but the opposition would search in vain for an instance in which the king had refused a petition from persons describing themselves to be members of such a body, or had told them in answer that they had forfeited the common rights of his subjects. Why should a different rule be applied to the case of the Orange associations? It was an attempt to narrow the right and privilege of the subject to address the Crown, or to cause the Crown to inquire into the particular opinions or associations to which those belonged who did address it, and in that way to prevent those opinions being conveyed to the sovereign or to parliament in the manner most palatable to the persons who wished to express them. If those bodies were illegal, why were they not put down? If they were

illegal, let them be prosecuted; but if they were not, his earnest advice was to set an example of forbearance; and let the advice to be conveyed to them be in friendly terms: for then he was confident that it would make a much more salutary impression, than the most violent and menacing language that could be resorted to.

The subject was again brought before the House, on the 23rd of March, by Mr. Finn, member for the county of Kilkenny, who moved "that a select committee be appointed to inquire into the nature, character, extent, and tendency of Orange lodges, associations, or societies in Ireland, and to report their opinion thereon to the House." The motion was seconded by Mr. Maxwell, member for the county of Cavan, who avowed himself an Orangeman, and courted the fullest inquiry, with a hope that the committee would be constituted in the most impartial manner. Government having made no opposition, the committee was appointed, and was still proceeding with its inquiries, when Mr. Hume, on the 4th of August, brought part of them before the House. He had seen in the newspapers what purported to be portions of the evidence taken before that committee, from which it appeared that Orange lodges had been introduced into the army, and existed in thirty or forty regiments of the line. These Institutions in the army were in direct violation of general orders issued by the commander-in-chief, in 1822 and 1829, which strongly reprobated the practice of holding Orange lodges in regiments as "fraught with injury to the discipline of the army," and declared

"that, on military grounds, it was contrary to order and to the rules of the service." It was added in the general order of 1829, "that a disregard to this caution will subject offending parties to trial and punishment for disobedience of orders." These lodges, moreover, had been formed under warrants granted for that purpose by the duke of Cumberland, who was the grand master of the Orange body, and a field-marshal. The warrants, indeed, were issued in blank, and there was no evidence to prove that his royal highness knew how they were filled up; but Mr. Hume found it difficult to imagine that the duke should have been ignorant of the existence of Orange lodges in the army. He moved the following resolutions.

"1. That it appears from the evidence laid before this House that there exists at present in Ireland more than 1,500 Orange lodges, some parishes containing as many as three or four private lodges, consisting of members varying in number from 16 to 260, acting in communication and correspondence with each other, and having secret signs and pass-words as bonds of union, and all depending on the grand lodge of Ireland.

"2. The second resolution described the manner in which those bodies were bound together, and declared "that the Orange institution of Ireland is unlimited in numbers, and exclusively a protestant association; that every member must first belong to a private lodge, to which he is admitted under a religious sanction, and with a religious ceremony, carrying a bible in his hands, submitting to certain forms and declarations, and taught secret signs and pass-words.

“3. That no lodge can be constituted without a warrant of the grand lodge of Ireland, signed by the grand master and office-bearers for the time being, and having the seal of the grand lodge there-to affixed.

“4. That it appears by the laws and ordinances of the Orange institution in Ireland, dated 1835, that the secretary of each private lodge is directed to report to the secretary of the district lodge; the secretary of each district lodge to report to the grand secretary of the county lodge; the grand secretary of the county lodge to report to the deputy grand secretary of the grand lodge in Dublin; and the grand lodge to hold meetings at stated periods, to transact the ordinary business of the society; and the deputy grand secretary of the grand lodge to communicate half-yearly to each lodge in Ireland, and also to the grand lodge of Great Britain.

“5. That Orange lodges have individually and collectively addressed his majesty, both Houses of Parliament, the lord lieutenant and others, on special occasions of a political nature, such as on the subject of the colonies, the change of ministry, the education of the people, the repeal of the union, Catholic emancipation, and reform of Parliament.”

“6. That the grand lodge of Ireland has interfered in political questions and expelled members for the exercise of their constitutional and social rights; has interfered at elections, and defended criminal prosecutions, as appears from the evidence and from the minutes of proceedings in the book of the grand lodge, produced before the select committee.

“7. That it appears by the books of the grand lodge of Ireland, produced by its deputy grand secretary, before the select committee of this House, that the undermentioned warrants for constituting and holding orange lodges have been issued to non-commissioned officers and privates of the following regiments of cavalry and of infantry of the line, at home, and abroad; to non-commissioned officers of the staff of several militia regiments; to members of other corps, and the police. (The warrants and regiments were enumerated.)

“8. That such warrants are sent privately and indirectly to such non-commissioned officers and privates, without the knowledge or sanction of the commanding officers of such regiments or corps, and every lodge held in the army is considered as a district lodge.

“9. That the general orders of the commander-in-chief of the forces (parliamentary paper, No. 395, of 1835), addressed in the years 1822 and 1829, to commanding-officers of regiments and of dépôts, and to general officers, and other officers on the staff, at home and abroad, strongly reprobate the holding of Orange lodges in any regiment, as ‘fraught with injury to the discipline of the army,’ and ‘that on military grounds the holding of Orange lodges in any regiment or corps is contrary to order and to the rules of the service;’ and ‘that a disregard of this caution will subject offending parties to trial and punishment for disobedience of orders.’

“10. That these resolutions, and the evidence taken before the select committee on Orange

lodges be laid before his majesty.

“11. That an humble address be presented to his majesty praying that he will be graciously pleased to direct his royal attention to the nature and extent of Orange lodges in his majesty's army, in contravention of the general orders of the commander-in-chief of his majesty's forces, issued in the years 1822 and 1829, which strongly reprobate and forbid the holding Orange lodges in any of his majesty's regiments; and also to call his attention to the circumstance of his royal highness Ernest duke of Cumberland, a field-marshal in his majesty's army, having signed warrants, in his capacity of grand master of the grand Orange lodge of Ireland (some of them dated so recently as April in the present year), which warrants have been issued for constituting Orange lodges in the army.”

In support of these resolutions, Mr. Hume went into a long detail of the documentary evidence which had been laid before the committee by the principal office-bearers of the Orange body, and he insisted on the necessity of putting down these associations with a high hand. The members of the Orange lodges had ventured to act illegally, because they knew that they had hitherto had the support of government. If the Whig ministers had done their duty during the four years they had been in office, there would not have been an Orangeman in existence at the present moment. They had been positively afraid of attacking them, but he would have put his heel upon their necks and trampled them to death. He would have every military orange-

man from a field-marshal down to an ensign, struck off the army list. With such proceedings, it would be better to dismiss the army altogether. The yeomanry, also, ought to be dismissed, and every Orange magistrate should be put out of the commission. He was glad to find that his opinions were so favourably received. The police also were Orangemen, and he would make a clean sweep of them. Orangemen were the disturbers of the peace—they valued not the lives of those who did not belong to their fraternity. Their loyalty was only conditional. They would be loyal as long as the king would support Protestant ascendancy, but the moment he interfered with their domination, their loyalty was at an end.

Mr. Patten, the chairman of the committee to which the House had referred the inquiry, complained of the manner in which the subject had been introduced. It was a farce, he said, to appoint a committee to inquire into a subject, if, when a portion of the evidence was printed—not one half of the whole—and the inquiry was still pending, a member was to be permitted to bring the subject forward in such a manner as must necessarily pre-judge the whole question, and at the same time make attacks on the character of individuals. The evidence had been selected in a way which was calculated to create an erroneous impression upon many points. One of the resolutions stated that the Orange lodges had presented petitions to the king and the parliament on the subject of the colonies. Now, any one would suppose that the colonies there spoken of were our transmarine possessions; whereas they were, in fact, protestant colonies planted

in Ireland. Orange lodges in the army, undoubtedly, were totally indefensible, and calculated not only to undermine the discipline of the army, but to endanger the liberty of the subject. To have been impartial, however, it should have been stated that there were other secret societies in the army, whose proceedings were so enveloped in mystery that it was almost impossible to arrive at the discovery of them—he meant ribband lodges. So secret were the proceedings of the ribband societies, that although the committee examined two lords-lieutenant, several magistrates, and sir Frederick Stovin, the superintendent of the Irish police, upon the subject, they could obtain no trace of the existence of ribband lodges; and the committee began to doubt whether there was any foundation for the rumour that there were such associations. Subsequently, however, the committee obtained a clue to evidence which proved that ribband lodges existed under the very eyes of sir F. Stovin, who nevertheless was perfectly ignorant of the fact, so secretly were their proceedings conducted. If, therefore, secrecy was to be considered the criterion of danger, it appeared to him that the ribband lodges were much more dangerous than the orange lodges. He moved as an amendment, that all the resolutions be omitted, and that the following be substituted for them:—"That a humble address be presented to his majesty, praying that he will be graciously pleased to direct his royal attention to the nature and extent of Orange lodges in the army, in contravention of the general orders issued by the commander-in-chief, in 1822 and 1829, which strongly prohibit the holding of Orange

lodges in regiments, and that his majesty will be graciously pleased to direct an investigation to take place with respect to other secret societies in the army."

In the debate which followed, (Aug. 4 and 11) it was admitted, on all hands, that the establishment of lodges, as of any other peculiar and exclusive society, in the army, was pregnant with mischief, and could not be defended; but it was maintained that any use which had been made in this way of warrants for creating lodges, had taken place without the knowledge and authority of the grand master, or the other superior officers of the association. Colonel Perceval, member for the county of Sligo, who himself held the office of grand treasurer of the grand lodge, stated, that ever since he had held that office, it had been his duty to sign these warrants in blank, after they had been in the first instance signed by the grand secretary, the member for the county of Cavan. In this way numbers had been sent in parcels, from 100 to 200, to his royal highness the duke of Cumberland, who, on seeing his (col. Perceval's) signature and that of the grand secretary, had appended his signature, with the understanding that the warrants were to be applied to purposes conformable to the rules of the association. He disapproved of marching warrants, and he was prepared to assert that the duke of Cumberland had been the strongest advocate to denounce and to forbid their issue. On the only occasion on which the question was submitted to his royal highness, he had said he never would consent to their issue, unless recommended by the commanding officer. He was further prepared

to assert, that at the time he (colonel Perceval) signed the warrants, he was perfectly unaware they would be supplied to the army, and it was only when he heard the subject mentioned in this house, that he learned the fact. The illustrious duke was also not only ignorant of it, but had condemned such a practice. In itself, the Orange institution, he contended, was proved, by the evidence of every witness who had been examined, to be exclusively of a defensive character. They all admitted, that Orange Lodges were a mere defence against the operations of Ribband societies, and other secret bodies existing in Ireland. Every person who had perused the evidence must know, that a man professing hostility to the Roman Catholic portion of the community was ineligible to admission as an Orangeman. It did not prove much that Orange lodges were secret societies, when not only had they produced before the committee their books and documents in the public investigation which had taken place, but even the signs and pass-words, by which Orangemen were known to each other, had been communicated. In short, everything had been given up—nothing had been kept back. He defied the most wilfully hostile member of the committee to state upon the evidence otherwise than that the Orange societies were simply and strictly defensive, and only consequent upon the existence of other institutions, calculated, as was believed, to destroy the Protestant established church of Ireland, and to extirpate the Protestant religion from that country. The Orange societies of Ireland were ready to dissolve themselves, pro-

vided other societies were put down. He, for one, would say, put down all. He maintained on the opinion of the late Attorney general for Ireland, taken upon the construction of the statutes of the 33rd George III., and the 4th George IV., that the Orange institutions were not contrary to law, inasmuch as no oath, declaration, and test was required from an individual entering the association. In the absence of all tests and oaths, the institution was technically legal, was essentially framed in support and sustentation of the law, and of the maintenance of the connexion between England and Ireland, against institutions whose object was the severing of the two countries.

Sir Robert Peel, after stating that the first six or seven resolutions referred to Orange Lodges generally, and their civil consequences, and the last three or four to their connexion with military discipline, said he would be disposed in the first place to urge the postponement of the general question, on the ground that the report was not complete; but, without any distinction, he must on other grounds protest against the House acquiescing in these resolutions. These resolutions consisted of a mere declaration of fact—without expressing any opinion—without stating any expectation—that a law would be brought in to check such practices; and yet they concluded with a declaration, that, along with the evidence taken before the committee, they should be laid before his majesty. Now it was a novel course for the house to pursue, to come to resolutions of fact, and to lay them before his majesty without any opinion of the house there-

upon. What was the answer which the crown could give in reply? The crown could not pledge its acquiescence to the opinion of the house, for the house had expressed none. This, therefore, was an inexpedient, an ineffectual course. He trusted, too, that the house, before it affirmed these resolutions, would be certain of the accuracy of the premises on which they were based. When they were called on to affirm facts which were said to implicate thirty or forty regiments, they ought to have irrefragable evidence that such a formal resolution was not open to objection on account of its inaccuracy. Suppose, for instance, they had affirmed this resolution as to the colonies. It had been shown, fortunately in time, that the assertion would have been incorrect. This was an inconvenience to which the house ought not to be exposed. He would vote for a general resolution, descriptive of the constitution of the Orange lodges. He would then be prepared to acquiesce in the motion that an humble address be presented to his majesty, praying that he would be graciously pleased to allow evidence which had been taken to be laid before him, and to direct his royal attention (that by-the-by was a new form of address) to the nature and extent of the formation of Orange lodges in his majesty's army. He never could acquiesce in that resolution, which made specific mention of his royal highness the duke of Cumberland. He acquiesced in the motion for calling for the number of the lodges in which these warrants had been registered, and would concur in asking how these warrants had reached registration. He should have protested against

any special reference to the conduct of the duke of Cumberland, and yet he should not have felt himself warranted in exempting that royal duke from an inquiry instituted by the crown. It was impossible to name any individual in these resolutions without implying some censure upon him. Now, to imply censure on people in that condition was clearly inconsistent with the interests of justice.

Lord John Russell admitted that it would have been better not to have introduced the subject, till the evidence had been more complete; but since it had been brought before the House, he was prepared to agree to such of these resolutions, as, in the first place, concerned the constitution of Orange societies; and, in the second place, to such as concerned the introduction of these societies into the army. But there was an obstacle in the way of the resolutions by a reference being made in the last of them to an illustrious individual now holding the rank of field-marshal in his Majesty's service. It was hardly possible to agree to that resolution, naming that illustrious individual in the mildest terms, without its being considered as a heavy censure on the part of the house. He was not disposed to come to any resolution touching the conduct of any individual, if it could be said that that individual had not been fairly heard, or if that individual wished to make any defence or explanation. He thought that, with regard to his royal highness, an opportunity of explanation had not been fully afforded; and therefore the house ought not to come to anything more than a general resolution on the subject. He objected to the

resolution being adopted without giving notice to his royal highness of the debates which had taken place on his conduct as grand master. With this opinion, therefore, and at once admitting that he was ready to agree to those resolutions which concerned the constitution and the introduction of Orange lodges into the army, he was disposed to propose that the remainder of this debate should be postponed for some days, in order that, if any evidence should be tendered before the committee with reference to this subject, the committee should have an opportunity of receiving and furnishing it to this House. It appeared from the statement of the members for Sligo and Cavan, that non-commissioned officers and soldiers received warrants signed by these gentlemen, and by a prince of the blood, none of whom knew one word about the matter, and who, when they did know of it, were prepared to condemn the proceeding as subversive of all discipline. The practice was one which could not be too loudly condemned; and when it had been reprobated by the late duke of York as fraught with danger to the discipline of the army, he felt some surprise that a declaration had not been added by the members of the body, from the highest to the lowest, deeply lamenting that they belonged to a society in which such a use had been made of their names. He felt some surprise, also, that when these distinguished individuals saw that the whole discipline of the army might be subverted and destroyed under colour of their high authority and their known attachment to the Protestant religion, they

should lose one moment in making it known that they had ceased to be members of such an association. He could not conceive that the illustrious prince so often named in the course of this debate would hesitate, when thoroughly convinced of the use that had been made of the blank warrants bearing his signature, to retire from the association; and he could not conceive otherwise than that the illustrious individual in question would feel it inconsistent with his duty as a prince of the blood, and filling a high rank in the army, to continue any longer in the situation which in this society he now filled.

The suggestion of lord John Russell was adopted, and the discussion was adjourned to the 11th August. In the interval, the duke of Cumberland addressed a letter to the chairman of the committee, in which he positively denied having ever issued or countenanced the issuing of warrants to soldiers, and stated that when such a proposal had been made to him, he had instantly declined it, on the ground that it was contrary to the orders and regulations of the Horse Guards, and that if any warrants had been so used, they would be annulled. The observations of lord John Russell implied that his lordship had expected a great deal more—that his royal highness, and those connected with him, would have abandoned the Orange institutions, and that thus his royal highness, by having his name involved, however innocently, in the military part of the inquiry, might be induced to effect a virtual dissolution of the whole body. When the discussion was resumed on the 11th August, Mr. Hume withdrew the

5th and 6th resolutions, which referred to the general interference of Orange societies in political matters, thus confining the question to their existence in the army. On the impropriety, again, of their existence in the army, all parties were agreed; so that the only disputed matter came to be the last resolution, which stated that the duke of Cumberland "had signed warrants in his capacity of grand master of the grand Orange lodge of Ireland, which warrants have been issued for constituting Orange lodges in the army." Lord John Russell stated, that he did not think the letter written by the duke of Cumberland to the chairman of the committee was all that was required of his royal highness. Nothing, he said, had been stated by way of vindication, excepting that his royal highness was not aware that warrants had been issued to the army, and that if they had been, they should be annulled. Now, he did not think that the House would be satisfied with that statement; nor was it, in his opinion, the sort of statement that ought to have been given. He was in hopes that the whole of the proceedings charged against his royal highness—namely, the signing of the warrants and presiding at the meetings from which warrants had been issued—had all been carried on without the knowledge and consent of his royal highness; and if so, he owned he did expect that when it was discovered that such underhand practices existed, all communication would have been broken off between the illustrious duke and the parties who had been guilty of such unwarrantable acts. He did not wish, however, to agree to the resolution stating that his royal

highness, in contravention of an order issued from the Horse Guards, had signed warrants which were issued for constituting Orange lodges in the army. He wished that the latter words, namely, "which warrants were issued for constituting Orange lodges in the army," should be omitted, and the resolution, he thought, would then satisfy both sides of the House. The resolution thus modified was carried by 183 to 40; the other resolutions were agreed to without a division.

In the course of their inquiries, the committee called on a witness, colonel Fairman, an office-bearer of the Orange body, to produce a book said to contain copies of a correspondence maintained by him in that character. He refused to produce it, on the ground that it was a private book, and contained private documents. The House voted, that he was bound to produce it. Several members of the House of Commons, connected with the Orange institution, stated to him their opinion that he ought to comply; but he retained his own opinion that he ought not to comply; and the chairman of the committee reported (August 20) that he still refused to produce the book. On the motion of Mr. Hume, the House immediately voted, first, that colonel Fairman had been guilty of a breach of privilege, and then that he should be committed to Newgate. These votes, however, did not insure production of the book, which was the great object of the committee, and Mr. Hume said that if the House seemed inclined to support him in it, he would make a motion for getting at the book. Mr. Warburton, too, maintained that the House had merely to send the sergeant-at-arms, with

the speaker's warrants, to search colonel Fairman's house, and bring the paper, as had been done in 1720, when orders were given for the seizure of the papers and books of different persons connected with the South Sea Company. The opposition, however, maintained that such a warrant would be illegal, and that the House of Commons should beware of assuming a power above the law, which could belong only to the three branches of the legislature. Even a court of justice, though it could punish a person for not producing a paper, would not take upon itself to send for that document. The case of the South Sea Company did not apply; for there the parties were charged with fraud, and such members of parliament as belonged to the company were expelled from that House. In that case the right of searching for papers had been properly exercised, but in the present case it should be recollected that no individual was charged with any offence. The book in question was a private book, and even if colonel Fairman ought to produce it for the information of the committee, and should be punished for refusing to do so, the House would not be justified in sending the sergeant-at-arms to search that gentleman's papers. Mr. Hume insisting on giving notice of a motion for next day, lord John Russell stated he would be sorry if it were made, doubly sorry if it were carried, and would vote against it. He had no doubt that the House had the power, on great and extraordinary occasions like that of the South Sea business, to seize the papers of individuals; but it was a very great and extraordinary power, and not

to be used without the gravest occasion for its exercise. The Solicitor-general, too, although he would not say that the House was always bound, in matters of this nature, to act in analogy with the proceedings in courts of justice, thought that the safest guide they could follow would be to keep within the limits observed by the ordinary tribunals. He was aware of no instance where a court of law could bring the papers of a witness into court. There were certainly cases where the maxim *Salus populi suprema lex* must overpower all other considerations. But was this one of those cases? Was the inquiry at all thwarted by the non-production of the book? If the book affected any great interest, something might be said in favour of the hon. member's intended motion; but nobody asserted this, or even suggested it. Mr. Hume refused to withdraw his motion; but when the House met next day, the sergeant-at-arms, who had attempted to execute the speaker's warrant for committing colonel Fairman to Newgate, informed them that he had not been able to find that gentleman. Mr. Hume took occasion of this occurrence to abandon his notice, and the witness kept out of the way of the sergeant-at-arms till the termination of the session.

As usually happens after a general election, the House had to deal during the session with a considerable number of election petitions. The results did not, upon the whole, sensibly affect the comparative strength of parties; but the excitement and importance of the struggle which was going on, made them be contested with great eagerness, and occasionally

produced an appearance as if party spirit were interfering in the decision of incidental and collateral questions. A petition had been presented against the conservative return for Leicester. It is provided by act of parliament, that the name of any security in an election petition shall not be allowed to be altered more than once. One of the sureties inserted in the petition in question had refused to justify; leave had been asked from the House, and had been obtained, to insert the name of a new surety; but the new surety himself was given in and received as being named Samuel Stokes, when his true name was Thomas Stokes. A second application was made to the House (March 26) for permission to correct this alleged mistake. Mr. Wynn and Mr. Law, the recorder of London, objected to this application that it was made in the face of the acts of parliament, which did not allow a surety to be changed more than once, and, in the present instance, the House had already admitted one change. But, besides this, the 30th of March was the last day for completing recognizances, and the sitting members were entitled by law to seven days' notice of the intended sureties before the recognizances could be completed. But this was the 26th of March; and if a change were admitted now, the sitting members would be deprived of their legal privilege, which gave them seven free days between the delivery and entering the notice and the completion of the recognizance, in order that they might have an opportunity to inquire into the solvency of the proffered sureties. Mr. Rolfe, then the late solicitor-general, and within a few days of being restored

to the office, along with some other members of the opposition, declared that it was impossible to get over this objection, and that the application must be refused if the act of parliament was to be observed. Mr. Warburton, however, lord John Russell, and others contended that "name" in the statute meant "person;" that here there was no change in the person of the surety, but only a clerical error in the name. The petitioners had all along intended the same person, since they gave in his name on the 20th March, though by mistake they had given it in as Samuel, instead of Thomas. Therefore there had been only one change of the surety; and the person, whose name it was now wished to correct, was one of whom notice had been given more than seven days before the 30th of March. But, it was answered, these seven days had been spent in inquiring in vain, through the extensive parish of St. Mary, Leicester, for Samuel Stokes, and there were not seven days to inquire for Thomas Stokes. If the latter was the person whom the petitioners intended from the beginning, he was not the person whom they had said they intended; he was not the person whom they had given the sitting members any reason to believe that they meant; it so happened that there lived in the same parish a Benjamin Stokes, and how were the sitting members to know whether Thomas or Benjamin was the name which the petitioners intended to denote by the name Samuel? The attorney-general requested the decision of the speaker; but the opposition resisted this proposal by loud calls for a division. The speaker expressed his readiness to express

his sentiments, but the opposition shouted "No, no." Some members expressed in strong terms their sense of such conduct, where the House was acting in a judicial capacity, in which party spirit ought never to interfere. The speaker gave no opinion except that he had found no authority on the question, and that he thought it a matter to be left to the decision of the House, as it concerned the construction of an act of parliament. The opposition accordingly carried their point, though by a very small majority, 138 having voted to grant the application, and 129 to refuse it. But on the 1st of April, the order for taking the Leicester election petition into consideration was discharged by a majority of 216 to 200.

There immediately followed, in the course of the very same evening, on which leave had been given to correct the name in the case of Leicester, an instance of a like error from the county of Cork. A petition had been presented against the return of the repeal member, who had frankly stated in the Leicester case that he would vote against the application, because he would find it necessary to resist a similar application in his own case. The name of one of the sureties had been given in "Henry Mannix," while the true name was "William Mannix." The case differed from the former both in the circumstance that there had been no previous change, and in the sitting members still having the full time allowed for inquiring regarding the sureties. Therefore, when a petition was presented for leave to correct the error, Mr. Wynn, the attorney-general, and others who had thought that no change should be allowed in the

preceding case, were clear that relief ought to be granted here, because justice required it, and it did not violate any of the provisions of the act of parliament. But the remarkable thing was, that the very men, who had voted in favour of the correction of the error in the former instance, now voted against a similar correction in a far clearer case. Mr. O'Connell, indeed, said, that he did not believe there was here any clerical error, but a substantial difference as to persons. This could deceive nobody. The agent had been examined at the bar, and he had proved that the mistake was a mere clerical error, in the very same way in which the opposition had proved the same thing in the other case, only an hour before. In addition to this, the address, the residence, the surname, left no doubt of the incorrect name being merely a mistake. But in the former case, the correction of the error was to be unfavourable to a ministerial member; in the present case it was to be unfavourable to a hanger-on of O'Connell; and although the correction was carried by 130 members supporting the petition, 103 members now voted against allowing it to be made. The result of the petition was, that the repeal member was unseated.

The return of O'Connell himself, and of his colleague Mr. Ruthven, for the city of Dublin was petitioned against, with every prospect of unseating them. O'Connell resolved to baffle the petition by delay, and to retain his seat by procrastinating the inquiry. For this purpose, petitions were got up by his adherents in Dublin, to take the investigation out of the hands of the committee. These petitions were presented on the 23rd of

March, before the election committee had been ballotted. They were presented, not by Mr. O'Connell, not by any of his Irish retainers, not by Mr. Hume, or any other of his radical coadjutors, but by lord John Russell himself, the ostensible head of the coalition which was then urging its attacks against the new administration. One petition bore to be signed by 1,400 electors, a second by 13,000 inhabitants, of Dublin; a third by 4,000 inhabitants of a particular parish in that city. They were all to the same purpose. The petitioners stated, that they did not wish to interfere with or call in question the power of the House to appoint a committee respecting the return for the city of Dublin, but that they were enabled to detail some circumstances that ought to be attended to by the House, or by any committee that might be appointed by it on that subject. They understood it was intended to call in question the validity of the register according to which the votes had been taken at the late election for Dublin; and also the right of certain persons who had polled at that election to vote, on the ground of their not having paid certain assessments and municipal taxes. It would be necessary, they said, to go into a scrutiny to ascertain the right to vote of each voter thus objected to, or the fact whether all his assessments had been paid or not; that to do so it would be necessary to bring over for examination before the committee not less than 1,000 witnesses, whose expenses would average, for each individual, from 25*l.* to 80*l.*; and they represented that this would be putting the sitting members to grievous expense. The prayer, therefore, of

VOL. LXXVII.

the petitioners was, that any investigation that should be ordered by the House should be conducted by a commission sitting in Dublin, instead of by a committee sitting in this metropolis, at so great a distance from Dublin. Mr. Shaw informed the House, on the part of the opponents of the sitting members, that they believed their case would require very few witnesses, and would be concluded in a very small number of days. It was agreed, on all hands, that the House could not interfere, in the mean time, but could only name the committee, before which these petitions would go with the whole case. The committee having been named, the application was renewed to them, upon the same grounds, and the committee saw reason to grant it. They reported to the House (April 16), that they had found it necessary, in order to avoid expense, to transfer the inquiry to a commission in Dublin consisting of three barristers, one named by each of the parties, and the third, to act as chairman, by the committee. The true motive of this proceeding on the part of Mr. O'Connell was believed to be an expectation, that he would be able to work a Dublin commission as he pleased, and to protract its proceedings as long as he might think proper. His seat was, at least, not only secure for the session; but, as the commission could only collect evidence, on which the election committee would still have to decide, he had it secured, even if that evidence should turn out to be unfavourable, for great part of the ensuing session.

A petition had been presented against the return of Mr. Dundas and Mr. Kelly for the borough of Ipswich. The committee reported

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the election void, and likewise agreed to the following special resolutions:—"That Robert Adam Dundas and Fitzroy Kelly, esqrs., were, by their friends and agents, guilty of bribery and corruption at the late election for the borough of Ipswich, and that Arthur Bott Cook, J. B. Dasent, John Pilgrim, and others, were guilty of bribery at the said election; that J. B. Dasent, John Bond, Arthur Bott Cook, R. B. Clamp, and John Pilgrim, were guilty of absconding, to avoid being served with the speaker's warrant; and that J. E. Sparrow and John Clipperton, the avowed agents of the sitting members, and P. F. O'Malley, esq., one of the counsel employed by the sitting members, aided and abetted them in keeping out of the way to avoid giving their evidence before this committee;—that the said John Pilgrim, having at length been served with the speaker's warrant, was prevented attending the committee by being arrested on a charge of embezzlement by Messrs. Sewell, Blake, Keith and Blake, under very suspicious circumstances; that the conduct of the magistrates, Samuel Bignold, esq., and E. T. Booth, esq., before whom he was charged, appears to this committee to be a breach of the privileges of the House." Of the parties who had absconded, Mr. Dasent and Pilgrim had subsequently appeared before the committee and given evidence.

These resolutions having been reported to the House, the latter (11th June) ordered that the parties who had absconded, and Messrs. Sparrow and Clipperton, and Mr. O'Malley, who had abetted their absconding, should be taken into the custody of the sergeant-

at-arms. On the following day, Mr. Pilgrim and Mr. Dasent having been taken into custody, a petition was presented from the latter of these gentlemen setting forth, that the breach of privilege of which he had been guilty was committed, not in contempt of the authority of parliament, but in ignorance that such a construction could be put upon his conduct. Hearing that a petition was about to be presented against the return for the borough of Ipswich, and being unwilling to be examined by the petitioners, and anxious that the sitting members should select their time for examining him, he, on the 24th of February, on his own account, and under restraint from nobody, quitted his home, and remained absent till the petitioners' case closed; when, understanding from Mr. Kelly, one of the sitting members, that the proceedings before the committee had taken such a turn as regarded his (the petitioner's) conduct, that justice could not be done to him (Mr. Kelly), unless he came forward, he voluntarily appeared before the committee under a sense of honour, and was fully examined. He expressed contrition for his offence, and had surrendered himself into the custody of the sergeant at-arms immediately on learning the vote of the House. On this petition being presented, Mr. P. Stewart, who had been the chairman of the committee, moved that Mr. Dasent should be called to the bar, reprimanded, and discharged; for it had been, he said, the opinion of every member of the committee that his case was apart from those of the other persons against whom the speaker had issued his warrant, although it was necessary to include him in the report. He was

the only one of the persons who had absconded, who voluntarily came forward to give evidence; and the manner in which he gave his testimony made a favourable impression on the committee. The majority of the House, however, thought that such a proceeding would be treating the offence with too great lenity, and that it would be necessary that the House should be in possession of the minutes of evidence, before determining the degree of punishment which they might think his conduct had deserved. The motion was rejected, and the petition ordered to be printed.

The case was not again taken up till the 15th, when all the parties were in custody, and petitions were presented from those of them who had not yet petitioned. Bond admitted that he had left the kingdom, as well for the purpose of avoiding the speaker's warrant, as for transacting some commercial affairs; he stated that he was not accompanied by any other person, and that he defrayed the whole expense of his journey out of his own pocket. He expressed deep contrition for having violated the privileges of the House, upon the clemency of which he threw himself. The petitions of Cooke and Clamp set forth, that in absenting themselves they were not aware that they were violating the privileges of the House, and they threw themselves on the clemency of the House. Mr. O'Malley stated that he had no communication with Pilgrim until within a few days before the appointment of the election committee: that he then had an interview with Pilgrim, at that person's instance, but he attended merely as a professional man, and the conversation

which took place had reference to transactions between Pilgrim and his former employers, Sewell and Blake: that this interview did not take place until after Pilgrim had absconded: and that, being asked by Pilgrim the hour at which the Uxbridge coach left town, he went with him to the coach-office and accompanied him a mile out of London: but the petitioner stated most distinctly that he did not directly or indirectly advise Pilgrim to abscond. A motion for committing all these parties to Newgate was agreed to without a division. Some members regretted that such a step should be taken before the evidence had been printed, without which it could not be ascertained whether the cases of the different individuals should not be discriminated from each other. After remaining ten days in Newgate, Pilgrim and Dasent presented petitions, setting forth the punishment which they had already suffered, and stating their willingness to appear, when called on, at the bar of the House, and answer all questions which might be put to them. On these petitions, they were brought to the bar on the following day, reprimanded and discharged. On the 29th of June, a petition was presented from Mr. O'Malley, accompanied by a medical certificate, stating that his health was suffering from his continued confinement. The ministerial part of the House not being satisfied with the certificate, the medical gentleman who had granted it was examined on the following day at the bar. His statements were still deemed unsatisfactory, principally on the ground that he had never attended Mr. O'Malley before, and had now been sent to

visit him by one of the unseated candidates, in whose cause he was suffering. On the 1st of July, the regular medical attendant of the prisoner was examined, who stated that the latter was evidently suffering from imprisonment, and that his life would be endangered if he were much longer confined. Mr. O'Malley was immediately called to the bar, reprimanded and discharged. The other parties, who had been committed, continued in Newgate, some of them, for a month longer, the House considering them more guilty as being either professional agents who had advised the absconding, or witnesses who, after absconding, had not come voluntarily forward, like Mr. Dasent and Pilgrim, to atone for their offence by giving evidence.

Pilgrim, who had been, or who was supposed to have been the principal agent in the bribery, was in the employment of Messrs. Sewell, Blake, Keith, and Blake, solicitors in Norwich. On his returning to England after having been sent abroad, his employers accused him of embezzlement, which they said they had discovered on examining his papers during his absence, to which absence they alleged they were not privy. On this charge he had been committed to take his trial at the ensuing Norwich assizes, and it was from Norwich jail that he had been brought up by the sergeant-at-arms under the order of the House. In his petition to be discharged, Pilgrim stated, that having been for thirty years a clerk in the office of Messrs. Sewell, Blake, Keith, and Blake, he felt himself under their entire control—that it was by the orders of Mr. Blake, a partner in that

firm, that he had gone to Ipswich at the last election as an agent for the late sitting members—that, in consequence of the petition presented against their return, he was afterwards induced to leave Norwich—that his employers gave him 20*l.* to defray his expenses while absent, and that by Mr. Keith's desire he colourably wrote a note to Mr. Keith, requesting leave of absence: that he could only account for the charge of embezzlement which had been preferred against him by Messrs. Sewell, Blake, Keith, and Blake, upon the supposition that it would be an inducement to him to prolong his absence from Norwich; that on his return to Norwich, he received a summons to attend and give evidence before the Ipswich election committee; that he immediately determined to proceed to London by the earliest coach, which was the Newmarket mail; and that as he was proceeding to the coach-office to take his place, he was arrested upon a warrant issued by Mr. Bignold and Mr. Booth, magistrates of Norwich. The election committee had reported, that Pilgrim's employers had caused the arrest under very suspicious circumstances. His employers, again, presented a petition denying all his statements, and the farther investigation of the matter was referred, on the motion of lord John Russell, to a select committee. That committee reported that Mr. Keith, one of the partners, had aided and abetted in procuring and continuing the absence of Pilgrim, and had used a charge of embezzlement as a means for inducing him to remain in concealment, although it did not appear to the committee that the charge

had been made for the purpose of delaying his appearance. The House, however, on the 30th July, ordered Mr. Keith to be committed to Newgate. The trial of Pilgrim was to take place in a few days; Mr. Keith's evidence, it was said, would be necessary; and it was moved, on the 3rd of August, that, for this purpose, he should be sent down to Norwich in custody. A counter-motion was made, that he should be brought to the bar, reprimanded, and discharged. Lord John Russell declared himself in favour of the latter of the two motions; but, although supported by his usual opponents, he was defeated by his more ardent followers, headed by Mr. Hume, the first motion having 110 votes, and the second, 102. On the 14th of August, however, Mr. Keith was discharged. The election committee had likewise included in their report the magistrates who had committed Pilgrim on the charge made against him by Keith, after he had received the summons to attend the committee; and it was moved (29th June), that they should be committed to Newgate. It was admitted, however, that it would be proper first to hear them, and they were ordered to attend the House on the 3rd of July. That order was discharged; the inquiry was referred to the same select committee that was to investigate the charges against Pilgrim's employers, and no farther proceedings were adopted.

Petitions had also been presented from Great Yarmouth, complaining that bribery had been practised at the election for that borough. They were not election petitions; they did not complain

of the return; they did not impute bribery to the members or their agents. They were presented on the 26th and 30th of June, the election having taken place six months before, and stated that two guineas had lately been paid to many of the voters at the house of a person who had been an active partisan of the sitting members. The motion, therefore, to refer these petitions to a select committee (14th July) was resisted, as being an evasion of the Grenville Act, and holding out to interested parties, who would not undertake the expense of an election petition, a temptation to institute inquiries at the public expense, by general allegations against whole constituencies. If the law for dealing with petitions complaining of bribery and undue election was defective, let it be amended; but it was no amendment to appoint a committee like this. It could not examine upon oath; its members could not be compelled to attend; it would always be nominated so as to contain a majority of a particular colour of opinion, and its investigation would degenerate into an instrument of party warfare. And at whose instance was the franchise of a large city to be called in question before a tribunal so constituted? Here was a petition to which one name was signed seven times over, and more than one signed twice. How many names must be attached to such a petition in order to put a town upon its trial? There was no principle on which a petition with an hundred or a thousand names could be acted on, and one with only five, ten, or fifty, rejected. On the other side it was contended, that the character of the House was involved in affording every

facility for investigating charges of bribery. The Grenville Act provided a remedy in cases between party and party, but gave little or no remedy where the public was concerned. If parliament refused to institute investigations in cases like this, merely because no private individual was so much interested in the result as to undertake the vexation, labour, and expense of prosecuting an election petition, they would lay themselves open to the imputation, that while they took pains to secure the rights of candidates and members, they were careless about guarding the purity of that body on which the representation rested. The motion to refer the petitions to a committee was carried by 186 to 132.*

On the 30th July, the chairman of this committee reported to the House, that Mr. Prentice, one of the witnesses, had refused to answer certain questions, on the ground that the answer would tend to criminate himself, although the committee had informed him that he was bound to answer. The question put to him had been from whom he received a sum of 100*l.* or 200*l.* of which he had spoken? His evidence, in so far as he had given it, was ordered to be printed in the mean time, and he himself was ordered to appear at the bar on the following day. Having appeared, he stated that he had no intention of treating the committee with disrespect; but he had been served with notice of various charges, and was afraid of

being prosecuted. The House decided, by a majority of 119 to forty-nine, that he was bound to answer the question, because the mere fact of having received the money from a particular person could not criminate him, and he was not asked to what purpose he had applied it. Several members, likewise, expressed their conviction that he was not protecting himself, but third parties. As he still declined to go before the committee and answer the question, the House voted him guilty of a breach of privilege, and ordered him into the custody of the sergeant-at-arms. This step having failed to bring him to comply with the decision of the House, he was sent to Newgate on the 6th of August.

On the same day, the chairman of the committee reported to the House, that three other witnesses, named Preston, Lacon, and Green, had refused to answer any questions at all, on the ground that as they had received formal notice of charges of bribery against themselves, they considered themselves defendants. Being in attendance, they were immediately called to the bar. Mr. Lacon and Mr. Green then stated, that they would not object to answer such questions as did not tend to criminate themselves. Upon this they were dismissed, after an admonition from the Speaker. Mr. Preston would not make the same concession. The following notice, he said, had been served upon him by the agents for the petition:—
“I hereby give you notice, that the evidence, intended to be produced before the committee to whom the Great Yarmouth petition stands referred, may fix you with the imputation of bribery at

* On the same evening, a similar petition, complaining that bribery had been practised at the last two elections for the city of York, was referred to a similar committee.

the last election for that borough, or with aiding and assisting in acts of bribery, or of acts of treating, and the other allegations contained and set forth in the said petition." It was admitted that these notices had been served by orders of the committee. Mr. Preston added, that besides receiving the notice, accusations had been brought against him before the committee, and therefore he could not be brought as a witness before that committee, because no person could be made a witness against himself. To interrogations put by other members of the House he answered, that he would decidedly refuse to answer any question put to him by this committee, whether it went to criminate himself or not, because he was *de facto* a defendant. The first question put to him had been, whether he was an elector of Great Yarmouth, that question he had refused to answer, and would still refuse to answer, on the ground which he had stated.

Mr. O'Connell, who on all occasions was peculiarly forward in maintaining the purity of election against bribery, while he crushed it in Ireland beneath brutal intimidation, moved that Mr. Preston should be committed to Newgate. The solicitor-general declared that he would vote against this motion, for he considered Mr. Preston to be right. This case was very different from that of the witness Prentice, who, on being called before the committee, had answered a great number of questions, and having answered those questions, at length refused to answer one which neither directly nor indirectly tended to criminate himself, or to fix him with any kind of guilt whatever.

But here was a witness called before a committee appointed to inquire into the propriety of prosecuting that very individual. It was impossible not to feel that the result might be the prosecution of this individual and others ; and he did think it would be the hardest case possible that a person should be called and examined as a witness before a committee which gave him a notice that evidence was intended to be adduced which might fix him with the imputation of bribery and treating. He conceived that on every possible principle this party was not bound to answer questions before a tribunal, the very object of which was to involve him in guilt. Supposing the case of an indictment preferred against him and others for a misdemeanour, would he not be justified in refusing to answer questions before the grand jury on that bill, and to say, "Place me at the bar and let me then justify myself from any charge that might be suggested against me?" The attorney-general, who was not present, stated on the following day that he perfectly agreed in the general principles laid down by his learned colleague, although the proper and regular course would have been, that the witness should have waited until a question was put to him, the answer to which might be reasonably supposed to be likely to criminate him, before he refused to answer. This limitation did not meet the true point of the witness's objection, and made the attorney-general's opinion fall short of the solicitor-general's argument, both of which were, that the situation of the witness as an accused party rendered it altogether improper to put any questions to him, how-

ever innocent they might apparently be.

Mr. Hume thought that such a doctrine rendered nugatory all inquiries by committees of that House, and Mr. O'Connell declared he had listened to it with horror. What! that a man might refuse to answer a question without stating one single ground of law on which to justify his claim to protection? It was law, but not common sense, that a man was not bound to criminate himself. The principle impeded the course of justice, and only protected the guilty, for the innocent needed no protection. He admitted, however, it was a rule of law, but this witness had not stood on the rule of law, he refused to answer because a notice had been served upon him, originating with the committee. What was this notice? Why, a mere caution that he was not bound to answer any question tending to criminate himself, and that he was entitled to refuse to answer it when propounded to him. Mr. Sergeant Wilde thought the question was, had the party been guilty of a contempt of the authority of the House, or was his refusal to be examined accompanied with a just and lawful excuse? In his opinion the witness was premature in refusing to answer. Nevertheless, he thought the House would deal harshly with him, considering that he might have acted under an erroneous impression, if it committed him to Newgate at once. He was not sure that the witness was bound to answer the particular question "Are you a voter of Great Yarmouth?" because if he were afterwards accused of bribery, the answer might affect him materially. He thought the best course would be to call the wit-

ness to the bar and admonish him, that although he was entitled to be protected against any questions that might criminate himself, the protection went no further, and he must appear before the committee as a witness. On this suggestion, Mr. O'Connell withdrew his motion, and substituted for it another, to the effect that Mr. Preston should be called to the bar, and informed by the Speaker that it was the opinion of the House that he was bound to submit to examination by the committee, subject to being protected against certain questions, the answers to which might tend to criminate himself. Part of the House still thought that Mr. Preston was sufficiently far involved, as an accused party, not to be bound to appear as a witness, and that the motion would at least be nugatory, because if the witness was to exercise a discretion with respect to the questions, and was the best judge whether an answer would furnish materials and facilities for his own conviction, he would, in all probability, object to the very first question, whether he was a voter. The motion, however, was carried by a majority of 113 to 65; and Mr. Preston, being brought to the bar, was informed by the Speaker that the House had decided that he was bound to submit to be examined by the committee, without prejudice to his right to object to any questions the answers to which might tend to criminate himself. It ended as had been predicted. Mr. Preston, with the other two witnesses, Green and Lacon, attended the committee. They objected to the first questions which at all tended to bear on the matter, that the answers might cri-

minate themselves. The committee came to a resolution that the answers would have that tendency, and discharged the witnesses from further attendance. Four days afterwards, on the 11th of August, Mr. Prentice, likewise was discharged from Newgate.

On the 2nd of June, Mr. Grote made his annual motion in favour of vote by ballot, by proposing a resolution, "That it is the opinion of this House, that the votes at elections for members of parliament should be taken by way of secret ballot." The motion was supported on the same grounds which had been urged to the House on former occasions; but a new feature in the discussion consisted in the admission made by some of the friends of the ballot that a majority of the landed property, at least, of the country was opposed to the ministry, and that the ballot was necessary, and would be effectual, to prevent the continued influence of that property from being exercised against them. Sir W. Molesworth, member for Cornwall (East), who seconded the motion, said that ministers ought now to be aware of the fact, to them undoubtedly a most mortifying fact, that amongst the gentry of England their party was decidedly in the minority; they ought now to be aware, that the great majority of the aristocracy, of the landed gentry, and all the clergy to a man, were their determined and irreconcilable foes, who would spare no efforts, who would use every species of intimidation and undue influence, to compass their destruction. They could not with the same weapons successfully contend against their too powerful antagonists; if they could not protect

their friends—and they were too weak to do so without the aid of the ballot—if they left their supporters exposed to the tender mercies of the Tory party, they would by degrees be ejected, like lord John Russell, from the representation of all the counties of England. Did they remember their fatal losses in the counties during the last general election? Did they remember that their friends were ejected and replaced by their antagonists in Berkshire, Buckinghamshire, Cambridgeshire, Denbighshire, Derbyshire, Devonshire (South), Essex (South), Gloucestershire (West), Hampshire (South), Lancashire (South), Leicestershire (South), Lincolnshire, Norfolk (East), Northamptonshire (South), Shropshire (North), Suffolk (East), Suffolk (West), Surrey (East), Surrey (West), Warwickshire (South); that within the last few weeks they had been again dismissed from Devonshire, Inverness-shire, and Staffordshire? Was this list not a sufficient proof to them of the absolute necessity of the ballot? Did they prefer to be utterly annihilated as a party in the House rather than have the ballot? If so, their fate was nigh at hand, and they would well merit it. In the same spirit, Mr. C. Buller, member for Liskeard, in arguing that an election conducted by ballot would be attended with less popular excitement than at present, said that he objected to having that excitement carried to any degree beyond that which was absolutely necessary; but, under existing circumstances, feeling as the liberal party did, that the majority of those enjoying wealth, property, and influence was against them, it was essential that they should endeavour to excite a fervid feeling in the breasts

of the multitude; and therefore it was that they were obliged to resort to popular agitation to counterbalance the force that was marshalled against them.

Mr. Gisborne, one of the members for North Derbyshire, while admitting that he differed in little from the mover of the proposition, and that the late election had removed some of his scruples, met it by moving the previous question. The members of the cabinet who spoke, lord Howick and lord John Russell, opposed the motion. Lord Stanley and sir Robert Peel, who addressed the House on the same side, expressed their surprise that government, holding such opinions, should allow the matter to be put aside by the previous question, instead of meeting it with a direct negative—thus practising a sort of delusion on the public mind, by leading persons out of doors to believe that the minds of members of the House, and of the administration, were not made up on the subject,—that the present question was an unsettled one, and was to be postponed, like some others, only to the next session. Lord John Russell explained that the amendment of the previous question had been moved without any arrangement with him, and if that amendment were withdrawn, he was ready to meet the motion with a direct negative. Mr. Gisborne again declared, that, if he withdrew his amendment, he would vote for the motion. He did, however, withdraw it, and then a majority of 173 negatived the original motion; 317 members having voted against it, and 144 in its favour.

At the opening of the session most numerous notices had been given of motions for committees,

or for leave to bring in bills, all bearing more or less directly on the constitution of parliament—motions for preventing bribery and corruption—for reducing expenses at elections—for protecting electors against intimidation—for indemnifying witnesses giving evidence in cases of bribery. In some instances committees were granted; but the only legislative measure which was carried through was a bill altering the reform act, in so far as it allowed two days for taking the votes at a contested election, and limiting the poll to one day, unless it should be found necessary to adjourn it in consequence of riot. The polling places were to be so arranged as that not more than 300 electors should poll at any one booth; and the number might be reduced to 100 on the application of a candidate or of an elector, who was the proposer or seconder of a candidate; the party making the application being bound to pay all the additional expenses thereby occasioned.

During the session a formal attempt was made to abrogate the rule of the House of Commons by which ladies were excluded from their debates. Mr. G. Berkeley, member for Gloucester, moved (July 16) that a select committee should be appointed to consider the best means of setting apart and adapting a portion of the strangers' gallery for this purpose, and to consider also the means of making similar provision in reference to the intended new House of Commons. Mr. Berkeley's logic on the question was of this kind, that as by the constitution a female might wear the crown, there was no reason why females should not exercise political influence, and take an interest in political discus-

sions. His precedents and examples were more applicable. It would be seen, he said, on reference to Hatsell, that ladies had been admitted to the debates in 1716, not only in the gallery, but in the lower part of the House. The practice had prevailed in the Irish parliament; it still existed in the French Chambers; and it was recognised in our House of Lords. He thought, too, that the character of the debates, which during the session had exhibited too many specimens of coarse personalities, would be improved by being carried on in the presence of a purer audience. There was a sort of competition among a number of members for the honour of seconding the motion; and although lord John Russell met it with a direct and decided negative, it was car-

ried by a majority of 153 over 104. The committee was named, amid much mirth, containing, however, various grave and elderly gentlemen; and it was invested, amid still louder mirth, with the usual powers to send for persons as well as papers and records. On the 28th of July it presented its report, containing regulations by which ladies, not exceeding twenty-four in number, whose names were daily to be previously entered in a book, might be admitted into a portion of the gallery, not more than one-fourth of the whole, to be separated from the remainder for that purpose. On the 4th of August, however, when it was moved that the report should be approved of, the House decided in the negative, by a majority of 86 to 83.

CHAP. XIII.

Motion for the Relief of the Agricultural Interest—Discussion regarding the Currency—Motion for the Repeal of the Window-Tax—Proposal for a general Revision of Taxation—Alteration of the Duties on Tea—Discussions regarding the Grant to the West-Indian Planters—Motion for the Repeal of the Stamp-duty on Newspapers—The Budget—Discussions regarding Canada—Prorogation.

TOPICS of finance, trade, and commerce occupied proportionally only a small share of the attention of parliament. On the 25th of May, lord Chandos again brought before the House the distresses of the agricultural interest, which he had already attempted to relieve by moving the repeal of the malt duty. The object of his present motion was, to give relief by diminishing the pressure of the local burdens to which land was subject. He proceeded upon the ground that many heavy expenses were laid exclusively upon the land, which ought to be general charges. Thus, in the general charges of county rates, the farmer severely felt the heavy pressure of the maintenance of prisoners in gaol, and building and repairing the bridges in the county; and he, likewise, was compelled to perform statute labour on the highway. These expenses should be taken off the land, and thrown on the general taxation of the country. Was it not fair that the public, who passed over bridges constructed at an expense of 100,000*l.*, or 200,000*l.*, should contribute their quota towards defraying their costs? Again, the prosecution of

felons and the maintenance of prisoners in gaol should not be forced upon the farmer; that also should be a national charge. The same observations applied to the performance of statute labour on the highways. It was most unfair that the farmer should be obliged to send men, whom he could be profitably employing on his own farm, to make roads for the convenience of the public, who contributed nothing towards the expense of keeping them in repair. In general taxation, lord Althorp had made some reductions in favour of the farmer, which, though small, were to a certain degree very beneficial. He took off the duty on windows in farmhouses under 200*l.*, and on horses used in husbandry on farms under 500*l.*, and reduced the duty on farm servants under 18 years of age. Now, trifling as this was, he hoped the House would agree to take off the remainder of these taxes. If a farmer went to market in a cart without springs, he was not taxed for it; but if it should so happen that it had springs or a cushion, he was immediately taxed. This ought not to be. He moved, "That an humble address

be presented to His Majesty, expressing the deep regret this House feels at the continuing distressed state of the agricultural interests of this country, to which the attention of parliament was called by His Majesty's most gracious speeches from the throne at the commencement of the preceding and of the present session of parliament, and humbly to represent the anxious desire of this House that the attention of His Majesty's government may be directed, without delay, to this subject, with a view to the immediate removal of some portion of those burdens to which the land is subject through the pressure of general and local taxation." The motion was seconded by the earl of Darlington.

The government opposed the motion, on the ground that what was proposed would give no effectual relief, and that the suggestions at which it pointed required to be much more deliberately considered, although it was admitted that some of them appeared to be founded in justice. During earl Grey's administration, a committee had been appointed to inquire into the agricultural distresses of the country. The committee, after a laborious investigation, made a report, which ended in saying that they reckoned more on the forbearance than the active interposition of parliament, in order to effect relief to the distressed agriculturists. The report made another assertion, the accuracy of which no person could doubt, and which went to the very foundation of agricultural distress—namely, that while the outgoings of the farmer were considerable, and the price of his produce much diminished, the burdens, consisting of county-rates, and so on, had very much increased. This un-

doubtedly was the case. In 1791, the general average of wheat was about 47s.; in the beginning of 1793 it was 41s. In 1833 and 1834 the prices had not been very different; the present average price was below 40s. While the prices had come back to what they were in 1792 or 1793, the present burdens were much more heavy. A sub-committee of that committee had reported that the expense of prosecutions, the prosecutions being of a public nature, ought to be defrayed, at all events in part, by the public, and recommended that the expense should be the expense of the assizes, and not of the quarter sessions. To that proposition there was the objection, that such a system would hold out a direct inducement to commit prisoners to the assizes and not to the quarter sessions, although perhaps an answer to that might be, that it would be necessary and requisite to distinguish between offences. Another question of the very highest importance, upon which the recommendation of the committee could not be adopted, without the very fullest consideration, was, the expediency of introducing a public prosecutor into all trials. Besides, it appeared that greater relief would be afforded in a different way. For instance, that committee proposed to relieve counties from the expenses incidental to assize prosecutions, to the amount of 67,000*l.*; from the expenses of convicts, to the amount of 15,000*l.*; and from county-rates and expenses at quarter-sessions to the extent of 64,000*l.*, making in all 146,000*l.* The proposal of the government was, to take the half of that whole sum, including the expenses of assizes and quarter-sessions, and pay one-half

of it out of the general revenues of the country. With regard to gaols, that question was already before a committee in the other House of Parliament, and might properly be made the subject of a separate bill. It was the intention of government to propose such a measure as would insure uniformity of discipline; and when that great object had been secured, it would be time to consider whether the expense should in part be borne by the public. The home secretary therefore moved as an amendment, "That this House will direct its early attention to the recommendations of the committee which sat last session of parliament upon the subject of county-rates, with a view to the utmost practicable alleviation of those burdens to which the land is subject through the pressure of local taxation." Sir R. Peel supported the amendment, because the resolution pledged the House to objects which must excite expectations on the part of the agriculturists, in whose distresses he sympathized, but which he was not willing to aggravate, as he thought must be the case, by exciting hopes which, consistently with public credit, could not be fulfilled. As he had recently been in a position in which it might have been his duty to bring forward what was called a budget, he could not now be a party to raising any hopes in the breasts of the agriculturists, which as a minister he would not have felt himself justified in encouraging, and in endeavouring to realize. Even if he were disposed to sacrifice a certain amount of income and to trust to the productiveness of the revenue, he did not know that it would not be a matter of extreme doubt to him, whether he might not benefit the

agriculturists much more by other means than a reduction of direct taxation. Lord Chandos, however, pressed his motion to a division, when it was lost by a majority of 150 to 211.

In the course of this discussion, some members repeated the opinion so often expressed by one party in the House, that all the evil had arisen from the resumption of cash payments, and could be cured only by some alteration of the currency. On the 1st of June this opinion was embodied in a formal motion by Mr. Cayley, one of the members for the North Riding of Yorkshire, who moved the appointment of "a select committee (based on the parliamentary declaration of agricultural distress) to inquire if there be not effectual means within the reach of parliament to afford substantial relief to the agriculture of the United Kingdom, and especially to recommend to the attention of such committee the subject of a silver standard or conjoined standard of silver and gold." The debate was principally maintained, in opposition to the motion, by Mr. P. Thomson, the chancellor of the exchequer, and sir R. Peel, whose bill of 1819 was chiefly aimed at; while the appointment of the committee was supported by Mr. Wodehouse, Mr. Bennett, sir C. Burrell, and Mr. O'Connell. The arguments were a repetition of those which had led, in the session of 1833, after a three nights' debate, to the resolution, "That it is the opinion of this House, that any alteration of the monetary system of the country, which would have the effect of lowering the standard of value, would be highly inexpedient." The result, too, was the same, the motion being negatived by a majority of 216 against 126.

On the 11th of June, sir Samuel Whalley, one of the representatives of the metropolitan district of Marylebone, moved a resolution pledging the house to repeal the window tax, which he described as a severe, and almost intolerable pressure upon that which to the middle classes formed one of the first necessities of life, while it yielded only 1,200,000*l.*; a deficit which he thought could easily be made up by economy and retrenchment. The Chancellor of the Exchequer answered, that sir R. Peel, early in the session, had stated the expected surplus of the year at not more than 250,000*l.*; that he himself had no reason to suppose it would be larger; and that, in such circumstances, a reduction of taxation to the extent of 1,200,000*l.* was an impossibility. Moreover, the pressure of this tax had already been greatly relieved. In 1820 the number of houses paying window tax was 968,000. In 1832 the number was only 380,000, the difference being 58,000. In the last year a house-tax, amounting to 1,491,000*l.*, was repealed, the full benefit of which was enjoyed by the parties who now claimed relief from the window-tax. The repeal of the house-tax formed in itself the strongest proof which could be offered that the interest of the householders was not neglected. Sir Samuel expressed his willingness to withdraw the motion, but a division was called for, and it was rejected by 204 votes to 16.

The whole system of taxation was brought under the notice of the House, on the 12th June, by Mr. Robinson, member for Worcester, who moved a resolution, "That it is expedient to refer the general taxation of the country to

the investigation of a select committee, with a view to a repeal or reduction of such imposts as injuriously affect the interests of agriculture, trade, manufactures, or navigation, or those which may be found to press with unequal severity upon any portion of the community, especially on the working and productive classes; and further, to consider the propriety of substituting, if necessary, other taxes less objectionable in their operation, so as to simplify and economize the enormous cost of collection, and lighten the pressure, by a more just and equitable distribution of the public burthens." He recommended his motion by the consideration, that if the paramount claims of the public service rendered any positive diminution of taxation impracticable, it became the more necessary to consider whether relief might not be afforded by a more impartial and judicious distribution of the taxes, by equalizing the system so that it might press less heavily on the productive classes, and that the larger burthen might be laid upon the holders of great property who were best able to support it. Although there was much apparent activity in some of the manufacturing districts just now, yet the profits of the manufacturer were so small, wages so low, and the condition of the labouring classes so distressed, that the poorer orders could no longer afford to pay the taxes which were exacted from them. On the other hand, a man might possess 10,000*l.* a-year, and yet, if he did not maintain an establishment, be subject to scarcely any taxation. There were hundreds of English persons at this moment residing abroad, receiving annually large sums from this country, which they spent

among foreigners, without paying a farthing to the British revenue. There was ample property at this moment in the country to relieve that class of persons whose cases called most loudly for relief, provided government was disposed to levy a tax on the wealthy. The funds, too, ought to be taxed, and a property tax would be the most beneficial to all parties. In opposition to the proposal, it was contended by the chancellor of the Exchequer, and the president of the Board of Trade, that it would be most inconvenient and injurious, even to the taxed parties themselves, to refer such a multifarious and important question, embracing as it did all the financial relations of the country, to a committee. The government, during every year of its existence, had been able to reduce taxation, without the assistance of any committee, and to reduce it in the way most beneficial for the parties whose interests were said to be peculiarly consulted by the present motion. The first repeal had been that of the duty on printed cottons, a tax which pressed more upon the poorer classes than upon the rich. Then came the repeal of the duties on coals and slates, on candles, hemp, tiles, and marine assurances, the advertisement duties, the tax on soap, the duties on insurances of farming stock, the taxes on mercantile travellers, clerks, and shopmen, the duties on horses employed by market gardeners, and the house-tax payable by licensed victuallers; the reduction of one-third of the duties chargeable upon houses of the annual value of less than 10*l.*, and lastly the relief afforded by the Customs Act, all of them measures for the relief of the burthens upon the labouring

and industrious portions of the community. Mr. Robinson's motion was rejected by a majority of 105 to 42; the mover complaining much that, while party and personal questions absorbed the attention of the House, and filled the benches to overflowing, any question which concerned the general benefit of the people at large, without reference to party feelings, was met by an appearance of indifference and apathy that would discourage almost any man from undertaking to advocate it.

Prior to the alteration of the East-India Company's charter, and the opening of the trade with China, the duty on tea was regulated by an *ad valorem* scale, according to the price which the article brought at the sales at the India House. When the opening of the trade enabled sales to be made every where, this mode of fixing the duty was abandoned; and government adopted a scale of three different rates of duty, with the professed object of giving low-priced teas the benefit of a low-duty. Great objections had been made to this expedient, both when it was proposed and since it had been adopted. A committee had recommended the continuance of the experiment for a longer period, although a great weight of evidence taken before them went to show that it ought to be abandoned; but the government had now become satisfied that the latter was the proper course to be pursued, and the chancellor of the Exchequer moved a resolution (July 13), that the duties on tea should cease and determine from and after the 1st July, 1836, and that, in lieu thereof, there should be levied and paid on all teas taken for home consumption a duty of 2*s.* 1*d.* per

lb., instead of the former *ad valorem* rates of 1s. 6d., 2s. 2d., and 3s., according to the quality of the article. He was now convinced that it did not contain the elements of an *ad valorem* duty; for the tea chargeable with the duty of 2s. 2d. comprehended so many different modifications of value, that the principle of a value duty must be abandoned, if the 2s. 2d. rate was continued upon that description of tea. It was not an *ad valorem* but a discriminatory duty; it did not refer to value, but to denomination; so that it was attended with this inconvenience, that teas of different value paid the same rate of duty. There were other inconveniences of a serious character. The qualities of the teas overlapped each other, and approached each other so closely, that the effect of these discriminatory duties was, that high-priced teas paid in fact a low rate of duty. On account of this approximation and overlapping of the qualities of teas, a tremendous power was placed in the hands of the officers of the Customs, who, by deciding on the qualities, had in effect the power of determining the rate of duty on teas. Without imputing anything to these officers, who had done their duty with propriety, it was certain that a great discretion was confided to persons who, with salaries of 200*l.* or 300*l.* a-year, had the power of varying the duties on a cargo of tea to the amount of as many thousands as their salaries were hundreds. This was too great a power to be lodged in their hands; it offered a temptation from which they ought to be relieved; and the objection would apply still more forcibly to the outports than to London. It was necessary, therefore, to have a fixed

duty, and he proposed 2s. 1d. on all kinds of tea, on the following data. Between April 1834 and 1835, the quantity brought to charge had been, 5,300,000 lbs. at the 1s. 6d. rate, 22,000,000 lbs. at the 2s. 2d. rate, and 1,300,000 lbs. at the 3s. rate, yielding together a revenue of 3,021,000*l.* If the whole had been taken at 2s. 2d., it would have yielded 119,000*l.* more; if it had been taken at 2s. it would have produced 122,200*l.* less; if it had all been charged at 2s. 1d. the produce would have been 1,490*l.* less than what it would have been according to the discriminatory scale. Government had resolved to take this middle rate of 2s. 1d., and to postpone its operation till July 1836, that it might not affect teas on hand, or orders which had been sent out to China.

The Exchequer had likewise to provide, during the present session, for payment of the large sum voted to the West-India planters in compensation of the losses to which they would be exposed by the abolition of slavery. The payment was to a certain degree dependant on the fulfilment by the planters of certain conditions required by the emancipation act; and the more ardent friends of the abolition held the threat of non-payment as a rod over the heads of the colonial legislators. On the 19th of June, Mr. Fowell Buxton moved for a committee to inquire whether the conditions of the bill for the abolition of slavery had been complied with, and for leave to bring in a bill to suspend the payment of the compensation money. He read extracts from a number of documents to show the industry and good dispositions of the negroes since they had been emancipated, and contended that they had fairly and

fully completed their part of the contract. On the other hand, he read passages from reports and other documents to prove that the planters had not fulfilled their part of the engagement, and that the circumstances with respect to the treatment of the negroes, which the House wished to prevent, were nevertheless carried on up to the present hour by those to whom compensation had been, upon distinct conditions, awarded. He had received a variety of communications on this subject from parties on whose authority he could place reliance; and, certainly, from those communications he could come to no other conclusion than this—that the late act had not been acted upon in its spirit, nor even its letter. He had one case of a girl aged fifteen, who, because she did not accede to the wishes of her master, was taken up by the auxiliary constable and flogged with tamarind rods. A meeting of magistrates was soon after held, when this subject was introduced. Some magistrates said, that such a punishment ought not to be resorted to again. The Solicitor-General also said that it was illegal, and should not again be resorted to; but there were others, who, though they admitted that it was illegal, said it should not be discontinued, though some thought that punishment should not be carried so far. This was in one colony. There were many cases which could be mentioned in others. The 29th clause of the act of 1833 was to punish violence on the part of the negroes. This violence was, however, undefined, and looking in the face of a master by a negro was held to be violence, and was punishable with thirty-nine lashes. But if violence was to be punished on the part of the negroes, he did not see why it should not be also

punished on the part of the masters. While violence on the part of a negro was punished with thirty-nine lashes, he did not see why cruelty on the part of the master should be let off with so slight a punishment as 5*l.*, currency which was equal to about 3*l.* What he contended for was, that the compact should be fairly fulfilled on both sides. The acts passed by the West-India colonies were conditioned on the payment of the money by this country; but if the money were to be paid, and cruelty was still to be practised on the negroes, the people of this country, by whom the money was to be paid, would not be satisfied.

On the part of the government, Sir George Grey resisted the motion, as being inconsistent with the faith of parliament pledged to the colonies. Even if it were true that, here and there, an individual planter had not acted in the spirit of the law, that was no reason why the compact entered into with the whole body should be considered void; nor was the body responsible for the proceedings of a few. It was impossible that such an inquiry as was proposed could be brought to a conclusion during the present session, for it could not be carried on without communication with the West-Indies. This course would not be one of fair-dealing towards the colonies; and when the effect upon other countries of the example shewn by the Legislature of Great Britain in coming forward so liberally to effect the abolition of slavery had been boasted of in and out of Parliament, he should be sorry that this country should, by the adoption of this course, give to the American or any other slave-holders the opportunity of saying, that Great Britain, remarkable for its adhesion

to national faith and for the honour of its Parliaments, had receded from a pledge solemnly given by its legislature, and after the slaves in its colonial possessions had been made free, had refused to make the payments to which it so stood pledged, except upon conditions superadded afterwards. The conditions, on which the money was made payable, were set forth in the emancipation act, which provided, that no part of the sum allowed should be paid to any slave-holder, unless "an order shall first have been made by his Majesty, with the advice of his privy council, declaring that adequate and satisfactory provision had been made by law in such colony for giving effect to this act, or unless a copy of such Order in Council duly certified, shall have been transmitted to the Lords of the Treasury for their guidance and information." These duties being thus delegated to his Majesty and his responsible advisers, how could the House interfere to place in the hands of a select committee the power given to the government to withhold payments legally demandable and chargeable by virtue of this act? In Trinidad, the Mauritius, and St. Lucia, no local legislation had yet taken place; but Orders in Council had been issued by his Majesty, to which no opposition had been made: yet, by this motion, the money was to be withheld, till the House should be satisfied that, in enacting these ordinances, right had been done. From Honduras, British Guiana, and the Cape of Good Hope, ordinances in furtherance of the emancipation act had been sent home; those from the Cape shortening by two years the statutory period of apprenticeship. These ordinances had been returned by the government at home, altered and

amended, and in that state they had been adopted, and were now in full force. These colonies had thus satisfied that authority, the approbation of which was all that the act of parliament required, in order to entitle them to payment of the money. Why, then, should they now be called on to obtain in addition to this the approbation of another tribunal, which the act of parliament had never contemplated? In Jamaica, the House of Assembly had passed a bill in furtherance of the emancipation act, which was perfectly satisfactory so far as regarded the general principles of the measure, many of its provisions being expressed in the very terms of the British statute. On the second part of it, again—namely the details and minor matters—the local legislature had desired a postponement, in consequence of a difference of opinion among themselves; but in order to afford the British Government a substantial proof of their sincerity, they expressed their full approbation of the measure passed by the imperial parliament. The necessity had since been urged upon them, of filling up, by a supplemental bill, the defects which still prevailed in the local legislation. The colonial legislature had acceded to this suggestion on all points but two, in regard to which the Governor had informed the authorities at home that they were impracticable. The House of Assembly had throughout shown a determination not only to accede to suggestions, but to uphold both the letter and the spirit of the slavery abolition act, and to carry into effect its principles and details. With regard to St. Kitt's, Nevis, Tobago, and the other colonies, they had passed ordinances, which, after amendment at home, had finally been

adopted by them. The Virgin Islands had not as yet done any act; and until their acquiescence was received, they would not be entitled to any share of the compensation. There were thus no grounds for taking this measure out of the hands of the responsible advisers of the Crown, or for removing from them those powers which had been delegated to them by an act of the Legislature, and holding them up as being unworthy of watching over the interests of the colonies, and disqualified for the stations which they had been called upon by their Sovereign to fill. The House, in considering the present motion, ought not to forget, that, on the faith of the payment of the awarded compensation in the course of the ensuing autumn, engagements had been entered into, and the result of the postponement, which must be the consequence of the appointment of the proposed committee, would lead to most disastrous commercial effects. The unanimous feeling of the House being in favour of the views taken by the colonial under-secretary, Mr. Buxton withdrew his motion.

A favourite measure of the party who consider themselves liberal, by way of eminence, had long been the repeal of the stamp duty upon newspapers. This they termed a tax upon knowledge, because it placed newspapers beyond the reach of the poor; and they pressed for its abolition as if the tax were a sacrifice of political rights to financial avidity. The unavoidable consequence, however, if not the true intention, of such a measure was, to give increased velocity to the progress of democracy, and create a host of demagogues to earn their bread by flattering the passions and prejudices, or abusing the ignorance, of the lower orders. It

is not from newspapers that a man gains that knowledge which makes him virtuous and wise, and it had already been seen what sort of political instruction would be afforded by the circulation of cheap periodicals: for unstamped journals had already been put forth in defiance of the law; and still larger was the number of journals of such a nature, or published at such intervals, as not to require a stamp, and circulated among the people at a very cheap rate. In so far as these publications were political, they taught nothing which any good citizen would wish to learn. They troubled themselves neither about correctness of facts, or soundness of views; they asserted and abused with equal recklessness. Their uniform tendency was to fill the lower orders, to whom they were addressed, with the conviction that they alone were the people, and alone formed the state. There seemed no reason to believe that a paper published cheaply in evasion of the law would change its character when allowed by law to be published at the same rate. When a motion, however, was made in the House of Commons, (August 21) for the repeal of this tax, by Mr. Bulwer, one of the Members for Marylebone, the Chancellor of the Exchequer admitted the proposal to be right in principle, and resisted it almost exclusively on considerations drawn from the state of the finances. He maintained, indeed, that the stamp duty was not altogether a tax, because, in return for it, newspapers were transmitted gratuitously through the post-office; and he contended that its removal would require to be accompanied by giving to the press a sort of copyright; for it would be monstrous that a paper, which, at a great expense,

had published something of great importance, should be deprived of all the benefit to be derived from it, in consequence of the publication, within an hour or less, of a duplicate by other persons who had not expended a farthing in procuring the information. But he pledged himself to the principle of the measure; he admitted that the stamp had no effect in keeping up the character of the press; he acknowledged that the duty could not be defended upon grounds either of moral policy or of sound political doctrine. But admitting all this, the state of the revenue did not allow him to part with it. If he had a surplus in hand, this was one of the subjects that would occupy his earliest attention; but he could not, under the peculiar circumstances in which he was now placed venture upon breaking down this branch of the revenue. To venture upon the removal of this tax, he ought to be in possession of such a surplus as a prudent Minister ought to have at his command; as he was not in that situation, he had to ask the House to stand by him, and protect him from being called on prematurely to impair the revenue. He was not prepared, nor could he suppose that anything could arise, which would enable him soon to be prepared to propose an entire remission of this duty. If he had a surplus, he could do better with it than propose an entire remission of this duty; there were claims of the country for the remission of other taxes, which would have to be taken into consideration in connexion with the duty on newspapers. He would give his pledge to the principle of the measure, but would reserve to himself the consideration of the extent to which it ought to go, and the fit time for bringing it forward. The motion was withdrawn, the mover stating

himself to be satisfied with what he considered a pledge to repeal the duty in the course of the following session, if the condition of the revenue should then be such as to render it practicable.

It was not till the 14th of August, within less than a month of the close of the session, that the chancellor of the Exchequer brought the BUDGET before the House. After alluding to the reductions in taxation, and expenditure which had already taken place, the chancellor of the Exchequer enumerated several temporary charges in the present year, which would swell the estimates. For instance, the fire which destroyed both Houses of Parliament added 69,700*l.* to the estimates for the year: the compensation given to one class of the Danish claimants, 113,000*l.*: the fire in the Dublin docks, 68,000*l.*; and the vote to the Poles, 10,000*l.* There was another vote not belonging to the service of the current year, the second vote for revising barristers, who, it was thought, ought not to be compelled to wait for their money, until the political contingencies of the day enabled ministers to pay them. Their claims had therefore been provided for in advance by estimate, and amounted to 22,500*l.*: then a sum of 110,000*l.* was granted, on the recommendation of the committee of last year, in reduction of the county-rates: to which were to be added 6,000*l.* voted for the purchase of works of antiquity by the British Museum, 25,000*l.*, for education in the West-India colonies, and 12,000*l.* for the relief of the sufferers by the hurricane at Dominica. The total of these several sums was 436,000*l.* which might be looked upon as an extraordinary charge, and interfered with any plan of reduction of taxes

which might otherwise have been entertained.

In proceeding to state his estimate for the ensuing year ending in July, 1836, he calculated the income of the country for the year 1835-36 at 45,550,000*l.*; and the expenditure at 44,715,000*l.* leaving a surplus upon estimate of 835,000*l.* In this calculation the Customs, which the last year produced 19,182,000*l.*, were taken at 20,000,000*l.*; the Excise, which produced in the former year 13,880,000*l.*, at 13,270,000*l.*, thus making the total of the Customs and Excise for the year ending April 5th 1835, 33,062,000*l.* The stamp duties, which produced last year 6,998,000*l.* were taken at 6,980,000*l.*; taxes which last year yielded 4,312,000*l.*, at 3,600,000*l.*; the Post-office, which last year produced 1,506,000*l.* at 1,500,000*l.*; and the miscellaneous receipts, which produced last year 206,200*l.* at 200,000*l.* thus the total amount of the income of last year was 46,087,000*l.*; and the total amount calculated for this year was 45,535,000*l.* The estimated expenditure for the present year, on account of the public debt, funded and unfunded, excluding that portion of the interest on the West-Indian loan, which might become chargeable within the period for which the calculation was made, was taken at 28,540,000*l.*; and the other charges upon the consolidated fund, at 2,040,000*l.*; so that the total fixed expenditure of the country would be 30,580,000*l.* The annual grants in the committee of supply amounted to 14,135,000*l.*, and consisted of the following items:—Army 6,189,000*l.*, Navy 4,245,000*l.*; Ordnance 1,296,000*l.*; miscellaneous 2,405,000*l.* Adding the

amount of the annual grants to the fixed charges on the consolidated fund, the total expenditure would be 44,715,000*l.*; so that there would be a surplus of 835,000*l.* “I regret, however, added the chancellor of the Exchequer, to say, that the surplus of 835,000*l.*, calculated on the ordinary expenditure of the country, will be found to crumble away before the further statement which it is now my duty to make.” The interest due to the slave-owners was to be provided for from the 1st of August, 1834. The maximum of the charge to which the country might be liable from the 1st of August, 1834 (assuming the amount awarded to become payable in September), was 730,000*l.*; then supposing further, that the whole balance of the loan were to be paid up within three months on discount, and that the permanent interest on the whole amount of the stock were at once incurred, this would subject us to a further charge of 250,935*l.* making the total charge for the present year, on account of the West-Indian loan, nearly 1,000,000*l.* Against this we could set off a surplus of 835,000*l.*; so that if this should ultimately prove to be the real state of the demand upon the country, there would practically be a deficiency of 170,000*l.*, instead of a surplus of 835,000*l.* But the probability was, that the amount, in the place of being 1,000,000*l.* would not exceed a sum between 600,000*l.* and 700,000*l.* so that the actual surplus which might be expected would be from 150,000*l.* to 200,000*l.*

After entering into various details, with a view to show the increasing prosperity of the country, the Chancellor of the Exchequer, stated that

in the circumstances in which he was placed, he could not be expected to make any great reduction in taxation. But, without endangering public credit, there were two or three taxes which might be reduced. Great complaints were made, and with some justice, of the inequality of the impost on licences for the sale of spirits. The increased duty on licences, established by Lord Althorp, amounted to fifty per cent, and pressed heavily upon those publicans whose consumption of spirits was small, compared with their consumption of malt liquor. His proposition therefore was, that persons might take out a licence which would authorise them to sell not more than fifty gallons of spirit, and for that licence they would pay a reduced duty. The loss, which the revenue would sustain from this alteration, he calculated at 40,000*l*. The duty now paid on flint glass was sixpence a-pound, and a drawback was allowed on it's exportation of sevenpence a pound. Here was a trade to which the peculiarities of the country were particularly well adapted; and yet the profits and advantages, which the fair trader should enjoy, were carried away by the smuggler. The tax also operated injuriously by preventing the employment of workmen, because it applied more to the cutting of glass than any other branch of the manufacture, and manufacturers did not like to run the risk of losing their capital. He believed that the duty prevented many beautiful articles from being manufactured and exported. He proposed to reduce the duty on flint glass from sixpence to twopence a-pound. This would be sufficient to put down the illicit manufacture, and would enable the

fair manufacturer to extend his trade. The drawback would be as nearly as possible in the same proportion as at present, allowing for the fraction. The present duty was sixpence a-pound, and the drawback was sevenpence. The amount of duty last year was 233,317*l*., and the drawback was 85,229*l*. The nett balance, therefore, was 148,088*l*. If the duty was reduced, and there was a small increase of consumption, the duty would be nearly 100,000*l*. There might be a loss of 60,000*l*. or 70,000*l* in the next year; but this would be made up in future years. He also proposed to relieve Ireland from the stamp duty now chargeable on awards, which operated to prevent the lower orders from resorting to that mode of terminating their disputes. The loss on this point, at the utmost, would not exceed 500*l*. a year. The resolutions of the chancellor of the Exchequer, were agreed to without a division.

Except in connexion with the grant to the slave-owners, Lower Canada was the only one of the colonies which claimed the attention of parliament. The dissensions, which are noticed in our last volume, still distracted that province; the French or democratic party, which had gained a majority in the House of Assembly, still insisting on all their pretensions, and declaring their determination to control both the Legislative Council and the governor, who represented the mother country. They found a very perfect representative in the British parliament, in Mr. Roebuck, member for Bath, who was said to receive 800*l*. per annum for maintaining their interests. Himself a radical, their complaints and demands lost nothing of their

virulence and violence in passing through his hands. On the 9th of March, he presented a petition from certain members of the legislative bodies of the province, setting forth their alleged grievances, which he backed by what amounted to threats of rebellion. He stated that the population of Lower Canada was about 500,000, of whom four-fifths were Catholics; 60,000 were members of the established church, and the remainder Dissenters. In this state of things the government had thought proper to turn the Jesuits' college into a barrack, and to apply the funds, which had been appropriated to the education of Catholics, to the support of the established church. This proceeding was in accordance with the same spirit which would maintain the established church in Ireland against the wishes of the majority of the people. The Catholics of Ireland would not, however, submit to such injustice: and did the English government expect that the people of Canada would be more complying? Another subject of complaint was against the land company of Canada, which was nothing more nor less than an attempt to interfere with the internal regulations of the country. That was an English company, deriving their claim under a grant from the Crown. But the Crown had no power to give away these lands; he denied that they belonged, except for mere technical form, in any sense to the king, but to the people of Canada. Any increased facilities arising from the sale of these lands, ought to be for the advantage of the people of Canada, and not of the people of England. For his own part, he would advise no emigrant to think himself secure under

a title obtained from that company; for he was sure that the time was not far distant, when all the land held by such titles would be taken away from its present possessors. Another cause of complaint was the Tenure's Act, which was another attempt to interfere with the internal regulations of the colony. In Canada, there was no law of primogeniture; but by the operation of this enactment different parcels of land would go by a different course of devolution. One field would go to the eldest son, and the next would be equally divided among all the children. The Legislative Assembly passed a bill for making the judges independent of the Crown, and provided that their salaries should be paid out of the reserved territorial fund. Lord Aylmer, the governor, sent the bill to this country, and recommended that it should be agreed to. Lord Stanley, however, then colonial secretary, thought proper to reject it, and from that moment up to the present time the government had never been able to obtain a practicable communication from the House of Assembly. The qualifications for a statesman were great experience, enlarged views, an even temper, and generous sympathies—none of which that noble Lord possessed. Then the Legislative Council of the colony was a moral pest; and the people of Lower Canada were justified in demanding a Legislative Council formed according to their wishes, and over which they could exercise some control. A convention should be assembled to determine what that body ought to be. If this was not done, Lower Canada would inevitably follow the example of the United States. In its neighbour-

hood, there were 13,000,000 of republicans, who, as soon as the flag of rebellion should be unfurled, would rally round it, and trample in the dust the whole establishment. The separation of Canada from England would be a lamentable thing for this country; but if the present pernicious mode of governing the colony was to be continued, he would sincerely declare, that in his opinion the sooner the Canadians got rid of our dominion the better.

Mr. Spring Rice and lord Stanley, while they observed that language like this only made matters worse, stated the course which had been followed in Canadian affairs, till the dissolution of the late government in Nov. 1835. So far back as 1828, a committee had been appointed to examine into the complaints of the Canadians; and a more honest and indefatigable committee, one more intent on probing every grievance to the core, and suggesting an adequate remedy, had never sat. The recommendations of that committee had been the subject of [warm eulogium to the popular party itself in Canada; and it was to be regretted that the state of political matters at home had prevented these recommendations from being considered and acted on. Complaints, irritation, distrust, misconception, succeeded between the governor and assembly; and all this ended in the ninety-two resolutions of the Legislative Assembly, which had been brought before parliament last year. A committee was again appointed, of which Mr. Roebuck himself was a member. Every document in the possession of the colonial office, every letter public or private, was laid before that committee. The

majority of the House of Assembly, in order to substantiate their allegations, had sent over persons to act as their agents. On each separate charge, one of those individuals was examined by Mr. Roebuck himself; on every one of the ninety-two articles, before any other step was taken in the committee, he was asked whether he had anything to say: and lord Stanley was afterwards asked whether there was anything on the part of government to submit. Upon the papers so produced, on the examination so conducted, and without one single particle of evidence adduced on the part of government, the colonial office was willing to take a decision on each and every one of the resolutions. Lord Stanley acceded reluctantly to a request that the evidence, and a separate verdict in each case, should not be taken; because, by publishing that evidence, and giving those verdicts, feelings of irritation might be excited in the Canadas, which would be injurious to the public interest. But the committee came to the following general resolution:—"That the most earnest desire has existed on the part of the home government to carry into effect the suggestions of the committee of 1828; that the endeavours of the government to that end have been unremitting, and guided by the desire in all cases to promote the interests of the colonies; and that in several important particulars their endeavours had been entirely successful." To this report, Mr. Roebuck was a party; in the face of it, he now blamed the government. The committee had resolved, from considerations of public utility, that the evidence and report should not be laid on the table of the House;

in the face of that resolution, he was now proceeding on his own notes or recollections of that very evidence. Sir Robert Peel, who was at the head of the government when this discussion arose, said that the recent change in the government had not prejudiced the consideration of the question, and was not likely to postpone its settlement. The subject had already occupied the attention of the secretary for the colonies, and his majesty's government without delay, signified their full intention to settle definitively the matters in dispute: besides, lord Aylmer was authorized to lay such information before the House of Assembly as ought to lead to the most satisfactory results. After the best reflection that could be bestowed upon the subject, it was thought expedient that the representative of the king's government in Canada should be a person wholly divested of all local prejudices and connexions; that he should be invested with full authority; and that he should proceed to the colony in complete possession of the views and wishes of the government at home. This course was adopted for many reasons, and for this amongst the number — that the great inconvenience was felt of conducting affairs at such a distance through the medium of written communications, subject as each of such communications in succession might be to a misunderstanding, and thereby giving rise to fresh references home: the time thus elapsing would of necessity give rise to fresh embarrassments, and be productive of greater evil than any exercise of discretionary power which, under the circumstances, might be expected. Ministers, however, were not prepared to

declare any new principles of government: their intentions were to review the several causes of complaint, to ascertain how far they were founded in justice, and to redress all real grievances in a spirit of conciliation. In that spirit they were resolved to proceed, regardless of menaces; for he did not believe that America had authorized the member for Bath to declare that, in the event of a resort to arms, she would join the rebel inhabitants of the colonies.

On the other hand petitions were presented to the Commons on 16th March, and to the Lords on 24th March, deprecating the violence of the democratic party in the colony. In presenting the petition to the House of Lords, the earl of Aberdeen stated, that it was signed by 11,000 persons, inhabitants of Montreal and its vicinity; of whom 10,000 were individuals born of British parents or of British settlers, and who represented a most numerous and respectable body in that country, of not less than 100,000 persons. They stated that they were highly sensible of the benefit of the connexion between this country and Canada, and that they were particularly grateful for the constitution granted to the province by his late majesty, which they were determined to preserve. They declared that they viewed with alarm certain resolutions which had been passed by the House of Assembly; they expressed their disapprobation of the dissemination of the disloyal principles which had been promulgated to bring the country into contempt, and their apprehension that the projects entertained by some persons would lead to the establishment of a pure democracy, and the dismemberment of the provinces.

They disavowed on their parts any participation in such projects, and hoped that if the British legislature should think it necessary to interfere in the internal affairs of the province, only such modifications might be effected in the provincial constitution as might be indispensably requisite, in order to afford permanent relief to the financial embarrassments of the executive, to maintain the existing connexion between the mother country and the colonies, and to preserve in their proper places and limits the rights and privileges of all classes of his majesty's subjects in the province. His lordship, who then held the office of colonial secretary, added, that he did not think the province was without cause of complaint; but knowing, as he did, the entire singleness of purpose of the government on this subject, he would declare, that if they were met by anything like a corresponding feeling of fairness and moderation, it was utterly impossible that they should not succeed in bringing the question to a favourable result; and if ultimately they should fail, which he did not anticipate, he was confident they would have the support of every one who was not prepared to withdraw that important province from under the dominion of the British crown.

On the 10th September, His Majesty at last brought this long session to a close by the following speech:

"My Lords and Gentlemen,

"I find, with great satisfaction, that the state of the public business enables me to relieve you from further attendance, and from the pressure of those duties which you have performed with so much zeal and assiduity.

"I receive from all Foreign Powers satisfactory assurances of their desire to maintain with me the most friendly understanding, and I look forward with confidence to the preservation of the general peace, which has been, and will be, the object of my constant solicitude.

"I lament that the civil contest in the Northern Provinces of Spain has not yet been brought to a termination; but, taking a deep interest in the welfare of the Spanish monarchy, I shall continue to direct to that quarter my most anxious attention, in concert with the three Powers with whom I concluded the treaty of quadruple alliance; and I have, in furtherance of the objects of that treaty, exercised the power vested in me by the legislature, and have granted permission to my subjects to engage in the service of the Queen of Spain.

"I have concluded with Denmark, Sardinia, and Sweden, fresh conventions, calculated to prevent the traffic in African slaves; I hope soon to receive the ratification of a similar treaty which has been signed with Spain.

"I am engaged in negotiations with other Powers in Europe and in South America for the same purpose, and I trust that ere long the united efforts of all civilized nations will suppress and extinguish this traffic.

"I perceive, with entire approbation, that you have directed your attention to the regulation of Municipal Corporations in England and Wales, and I have cheerfully given my assent to the bill which you have passed for that purpose. I cordially concur in this important measure, which is calculated to allay discontent, to promote peace

and union, and to procure for those communities the advantages of reponsible government.

“ I greatly rejoice that the internal condition of Ireland has been such as to have permitted you to substitute, for the necessary severity of a law which has been suffered to expire, enactments of a milder character. No part of my duty is more grateful to my feelings than the mitigation of a penal statute in any case in which it can be effected consistently with the maintenance of order and tranquillity.

“ *Gentlemen of the House of Commons,*

“ I thank you for the readiness with which you have voted the supplies.

“ You have provided not only for the expenses of the year, and for the interest upon the large sum awarded to the owners of slaves in my colonial possessions, but also for several unexpected and peculiar claims upon the justice and liberality of the nation.

“ It is most gratifying to observe that not only have these demands been met without additional taxation, but that you have made some

further progress in reducing the burdens of my people.

“ I am enabled to congratulate you that the terms upon which the loan for the compensation to the proprietors of slaves has been obtained afford conclusive evidence of the flourishing state of public credit, and of that general confidence which is the result of a determination to fulfil the national engagements and to maintain inviolable the public faith.

“ *My Lords and Gentlemen,*

“ I know that I may securely rely upon your loyalty and patriotism, and I feel confident that in returning to your respective counties, and in resuming those functions which you discharge with so much advantage to the community, you will recommend to all classes of your countrymen obedience to the law, attachment to the constitution, and a spirit of temperate amendment, which, under Divine Providence, are the surest means of preserving the tranquillity and increasing the prosperity which this country enjoys.”

Lord Denman, as lord Speaker, then declared parliament to be prorogued to the 10th November.

CHAP. XIV.

Attacks on the authority of the Peers—Mr. O'Connell agitates for a Reform of that House—Effect on public opinion—THE COLONIES.—Irruption of the Caffres at the Cape of Good Hope—West Indies—Operation of the Act for the Abolition of Slavery—Disputes between the Legislative and Executive in Jamaica—CANADA.—Opposition of the House of Assembly to the Governor—Adjournment of the Legislative Body—Arrival of Commissioners from Britain—Opening of the New Session of the Assembly.

ALTHOUGH the radical party and the Irish Catholics had enjoyed the triumph of seeing the Whigs driven to court their alliance, and of expelling, in conjunction with them, the conservative ministry, the leading events of the session had not altogether fulfilled their expectations. Both in regard to the Municipal Bill, and the appropriation of the revenues of the Irish church, the House of Lords had shown itself able to combat successfully all their violence, though backed by the official influence of their ministerial allies. The Peers had discharged their duty of resisting the encroachments of democracy; in doing so, and in doing it successfully, they had manifested a moral power still more unfavourable to the designs of ambitious and hot-headed innovators than the rejection of this or that particular bill. The exhibition of this power called forth that respect which all men pay, even involuntarily, to the faithful discharge of high and important duties. The sentiments of the great majority of those whose sentiments ought to form, and, in the end, always do form, public opin-

ion, felt convinced that the peers had done well, and that in the House of Lords was to be sought the constitutional bulwark against the designs of men, the danger of whose policy was sufficiently evinced by the fact that they now admitted that they would be unable to carry it into execution, so long as the Upper House of Parliament was allowed to retain its place and powers in the institutions of the country.

To the radicals, therefore, and to many partisans of the ministry, who deemed it prudent to chime in with the opinions of their radical supporters, the House of Lords became the object of incessant abuse. Their mode of argument was simple in the extreme. It consisted merely in assuming that every thing which the peers had refused, and every thing which the innovators had desired, or might desire, was necessarily called for by the rights, and essential to the welfare, of the people, and that, whether it was so or not, it was enough that the people demanded it. The logical consequence was unavoidable—that all power rested in a majority of the House of

Commons; that the existence of a body capable of stopping the cause of such a majority, although it might form part of the British constitution as it had been and was, could not be allowed to form any part of it, as it ought to be; that it was neither less nor more than the tyranny of a handful of individuals over the great body of the nation; that, therefore, the House of Lords ought either to be suppressed altogether, or—which in fact amounted to a total suppression—ought to be so reformed in its constitution, as to be placed under the direct control of the people by means of popular election. The House of Commons, forgetting that, by treating the constitutional rights of the Upper House with disrespect, they were accustoming every body to treat their own privileges in a similar manner, permitted this language to be used within their walls without reprobation. Some of the petitions, got up while the municipal bill was in the peers, stated that the lords were evidently determined to frustrate all useful measures of reform, and therefore prayed the House to insist on such a reform of the Upper House as would convert it into an useful branch of the legislature—that is, such a reform as would convert it into a subordinate House of Commons. On the occasion of a petition of this kind being presented (Sept. 2), Mr. Roebuck announced, that it was his intention, early in the next session, to move for leave to bring in a bill taking away from the House of Lords the *velo* possessed by it upon all measures of legislation, and substituting for it a suspensive power, so that when a bill passed that House, and was

rejected by the Lords, if it should pass the House of Commons again in the same session, and received the royal assent, it should become the law of the land. Mr. Rippon, the member for Gateshead, gave notice that he would bring in a bill to remove from the House of Lords the archbishops and bishops; and Mr. Hume extended his wrath even to the ceremonial observances which prevailed between the peers and the commons. The lords, he said, constituted an irresponsible body. It might have been right for them to possess the privileges they did in former times; but such privileges were unsuited to the present day, and to the circumstances of the times. He was well aware, that formerly the House of Commons was to a great extent an irresponsible body, but the reform bill had made it responsible. He saw no reason to doubt that the time would come in the ensuing session, when they would see the House of Lords agreeing to a bill that would render them equally responsible. He gave notice, that in the next session of parliament he should move the appointment of a select committee to inquire into the number of peers of parliament—their qualifications and privileges as such—into the constitution of the House of Peers, its privileges, and immunities—and to consider how far it had fulfilled the important purposes of a legislative body; and also to consider and report upon the manner in which conferences were held and communications made between the House of Peers and the House of Commons. He, for one, must say, that he always regarded the distinction made on such occasions by the House of Lords most degrading to the House of

Commons. At a conference, the members of the House of Commons were obliged to stand with their hats off, while the Lords were covered and seated. The whole thing done on such degrading occasions was an exchange of two bits of paper. It was, in fact, a perfect mockery, like everything else connected with the other House. It was plain now, that they would not have any reform of any kind with the concurrence of the Lords. Surely, when an irresponsible body set itself up in opposition to the mass of the community, it was fitting that it should be reformed. Such a reformation the country would have; and the people of England, while they were desirous for a reformation of the abuses connected with the other House, both in its judicial and legislative capacity, did not wish for an abolition of the House of Peers. He had heard no such wish expressed by any portion of his countrymen. All they wanted was, that the Upper House should be made a fit and proper instrument of legislation.

On the rising of parliament, Mr. O'Connell set forth upon a progress, or a mission, as he termed it, to propagate this new creed in the north of England, and among the presbyterians of Scotland. He received dinners, and preached his doctrines, at Manchester, Newcastle, Edinburgh, and Glasgow: but the cause was unfortunate in its missionary. Excepting those who were attracted by curiosity, all the respectable classes of society, even the middle ranks, kept aloof from his banquets and exhortations. Feasted and applauded by the ignorant rabble, or by parti-

zans whose opinions and views were already in unison with his own;—his language was excellently well adapted to gratify their prejudices and inflame their passions, but instead of being fitted to convince and convert the rational and sober-minded, it only excited disgust and some degree of alarm. "We have arrived at a crisis," said he to the assembled crowd at Manchester, "sir Robert Peel stands on the one side as the advocate of the aristocracy. More shame for him! His father was a respectable operative, and worked at a cotton factory; he made a noble fortune by honorable industry—one of the finest things this country ever produced, and arising out of its great wealth; he realized this with credit and integrity, and making every one happy around him. He was truly an honour to England. Is it not a shame, then, for the son of this man, for the present sir Robert Peel, to forget the people? He ranges himself on the side of the aristocracy: and what do the lords want? To fasten their sons and sons-in-law, and cousins and nephews, upon the public purse, and instead of giving them an estate, to give them the public money. That's the thing that has involved England in debt; and Peel stands up for that system; and the people of England, Ireland, and Scotland, have already condemned him once; and condemn him again they will, as sure as ever he puts himself on his trial. He says that we reformers are only for one house of legislature. Now, I am for two. We have one that is honest, and one that is not honest. I want two honest houses. I want not one white and one black; that goes for nothing; but we want two

whites, and will throw the black out altogether ; I want another House — of Lords, if you please ; but let every county with 200,000 inhabitants (and where counties have not that number, put them together till they have) elect one man, a lord, if you please ; I have no objection at all, provided he be honest ; but let him be elected only for three or for six years, and let him be responsible to the people. If there were only one house of legislature, a majority of that house, perhaps a faction, would become the rulers of the entire nation. There is therefore a safety in a second house, on the simple principle of its acting as a check on the other against such undue power ; and I am for two houses, but they must be two honest houses. What title have the lords to legislate for us ? They have two—the present law, and the constitution. But they have been changed, and why should they not be changed again ? That is therefore no argument. What are the lords ? Hereditary legislators. Because the father was supposed to be a good legislator, the son is to be so equally. Why, if a man applied to you to make you a coat,—“Are you a tailor ?” “No, I am not ; but my father was a tailor.” Is there a single man amongst you, who would employ an hereditary tailor of this kind ? That principle of common sense will go abroad about the lords. Whether hereditary legislators or tailors, we’ll have none of the botchers at all. Who is sending this principle abroad ? The lords themselves ; because they are showing themselves to be the arrantest botchers that ever spoiled a job of work. The real national debt is the debt of public

improvement. We have taken 10s. 6d. in the pound from the botching Lords, and we will make use of it to get the other 9s. 6d. which they owe us. They shall never get a receipt, either upon a stamp or without, till they pay the debt to the last farthing ; and if they delay too much, they may have to pay a little interest upon it. This is a mission, my friends, that I am upon. I am going round amongst the people of England and of Scotland, to call upon them to act with common sense—to avoid violence ; because, besides strengthening their enemies, that is essentially wrong in itself. But, thank God, information spreads among you. The operative classes are now better informed than the lords. I have seen letters from five-and-fifty lords, and I would take out of any Mechanics Institution in the British dominions six men by lot, and there is not of them one who would not write a letter better than any of those Lords.” At Newcastle, the same dose was repeated ; “We have come to the crisis—we must either write ourselves down slaves, or you must demand that there shall be no such thing as irresponsible, and therefore abused, power. The question is, whether you are to have 170 masters or not—170 irresponsible masters—the people looking for the redress of their grievances, and looking for it in vain. Would you endure that any gang or banditti, I care not by what name you call them, should treat them and you contemptuously ? In one word, I will call them rogues. I inculcate peace ; I do not want the stones to mutiny ; but I recommend to you perseverance and perpetual agitation, until you obtain the amelioration

of your institutions. The cry will go through England; each man will look at his neighbour and say,—Are you for the slavery of England, or for the improvement of her institutions?—Will you suffer the Peels and the Goulburns to prey upon the freedom of England, to tarnish that which they cannot destroy, and to prey upon that which is too bright and too glorious for animals so obscene?”

As the missionary advanced north, his inspirations became more raving and unmanageable. “We achieved but one good measure,” said he at Edinburgh, “this last session; but that was not our fault, for the 170 tyrants of the country prevented us from achieving more. Ancient Athens was degraded for submitting to thirty tyrants; modern Athens will never allow 170 tyrants to rule over her. I have started on this mission to rouse the public mind to the necessity of reforming the House of Lords, and I have had 50,000 cheering me in Manchester, and 100,000 cheering me in Newcastle; and I heard one simultaneous cry, ‘Down with the mad dogs, and up with common sense.’ The same cry has resounded through Auld Reekie. The Calton-hill and Arthur’s-seat re-echoed with the sound; and all Scotland has expressed the same determination to use every legitimate effort to remove the House of Lords. Though the Commons are with us, yet the House of Lords are against us, and they have determined that they will not concede a portion of freedom which they can possibly keep back. Sir Robert Peel,—the greatest humbugger that ever lived, and as full of political and religious cant as any

VOL. LXXVII.

man that ever canted in this canting world—feeling himself quite safe on his own dunghill, says that *we* want but one Chamber—one House of Radical Reformers. He knew that in saying this he was saying what was not true. We knew too well the advantage of double deliberation not to support two Houses; but they must be subject to popular control; they must be the servants, not the masters of the people. The first step we must take is, to be perfectly unanimous among ourselves; let the names of Whig and Radical be for ever buried in the name of common Reformer. To my certain knowledge, the Whigs of this year are not the Whigs of last. Having now seen the want of popular support, and felt the fangs of the aristocracy, they have come round to us; and we should be blockheads, if we did not go the rest of the way to meet them. They have gone far enough at present; they will go the rest by degrees, if they are not shoved on too fast.” “We must put down the House of Lords,” said he to the artisans of Glasgow.* “Ye are slaves—ye

* The following passage, from an address presented by “the operatives and non-franchised inhabitants of Glasgow and vicinity,” to Mr. O’Connell, as “the first man of his age,” and “the champion of civil and religious liberty over the whole world,” will shew to how willing audiences the agitator addressed his harangues:—

“On a former public occasion, while asserting our claim to a full participation in every political privilege, we, in consideration of the prejudices imbibed by persons badly educated, born to rank, bred in an exclusive atmosphere, or having acquired wealth by illegal means and anti-national monopolies, abstained from demanding the full extent of our declared rights as freemen. The conduct of a certain House, since represent-

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are miserable minions of power—you have no choice for yourselves

ing (if representing anything) the classes alluded to, and all that is vicious, violent, and absurd among mankind, has proved that the lenity of a generous and too confiding people only provokes it to a greater activity in mischief; and while the Commons and the Crown bend, as they have done recently, to a presumptuous and irresponsible oligarchy, the people ought incessantly to demand a restoration to them of the first principles of society—equal laws and equal rights to all who contribute to the maintenance of our municipal and national government.

“While we strongly deprecate the unmanly and submissive manner in which the ministry and the commons have, bareheaded, bowed to the refractory lords, we are proud to observe that the king, at the prorogation of parliament, acknowledged the advantage of responsible governments. His majesty in his speech declared that peace and union can alone be secured, where the people and his ministers have bound themselves to establish responsibility in every department of the state; and as the House of Lords has hitherto displayed a most astounding anomaly in this enlightened age, by retaining the power to legislate from birth or court favour, and being thereby rendered irresponsible, it follows that it must be cut down as a rotten encumbrance, or be so cured as to be made of some service to the state, as well as amenable to the people. It follows, also, that the Commons must be made still more responsible to the nation at large, by the further extension of the franchise, and by abridging the term of parliaments, ere the hands of the king and his ministers can be so strengthened, as to perform effectually the good work of necessary destruction and salutary repair.

“Although the Commons as a body have, during the late session, proved it an outrageous fallacy, that the people of this empire are fully, fairly, and freely represented—have allowed the barbarous restrictions on the newspaper press, the inhuman restrictions on the introduction of foreign corn, the state church establishment of Ireland, and many other abominable acts and monopolies, to con-

till that House be thoroughly reformed. I am for altering the House of Lords; but I am content that 130 of them should be tried as an experiment. Let the King retain his prerogative of raising men to that rank and station in which they may be eligible. Let every 200,000 men in Britain and Ireland select one lord,—that will give 130 for the 24,000,000; let them be re-eligible every three or five years, and you will have a steady Chamber. This is a practical system.—I won't insist it is the best that could be devised; but the moment any man convinces me that I am wrong, I will forego my own opinions, and adopt his. All I insist on is, that we should have two honest Chambers of Representatives.” He professed himself as radical as any of their trades' unions, but he was for a junction with the Whigs. “They were not so far on the bank as we were; they were nearer the margin of the river of oppression, corruption, oligarchical tyranny, Toryism; but they did not aid in the oppression of Ireland; they discountenanced the fell Orange faction in Ireland, and if the lords were not in the way, they would do more.” He was, therefore, for joining them in

tinue in active force—and refuse the slightest protection to the labour of starving thousands,—we rejoice to think that among that body there is a powerful band of resolute patriots, ready at all times to lead the van in the march of reform, and whose efforts must, ere long, if properly backed by the pressure from without, successfully triumph.”—Mr. O'Connell was too practised a demagogue ever to differ from his auditory. On all occasions he preached up, in conjunction with the destruction of the House of Lords, universal suffrage, vote by ballot, and triennial parliaments.

the career of the radical improvement of the people. "It is said, we Radicals make a sacrifice in supporting the Whigs now. No such thing: the Whigs now are no more those of four years ago than the old clothes of four years' service are now the dandy wardrobe of the fashionable gentleman." All, therefore, ought to join in putting down the oligarchy. "A hundred and seventy men our masters!" he exclaimed; "it is impossible that it can last—that such a set of stupid, ignorant, half-mad fops and coxcombs should continue so to lord it."

The result of this crusade of Mr. O'Connell against the House of Lords, was very different from what he had anticipated; it injured the cause both of himself and of the ministry, of whose alliance he boasted, and whose interests, as being identified with his own, he pretended to be serving. All thinking men saw that, in schemes like these, even the thin veil of constitutional improvement was at last thrown off; that reform was now announced to consist in the destruction of every thing which presented an obstacle to the unrestrained license of democracy; and that "the amelioration of our institutions" meant the establishment of the House of Commons as the only legislative power in the country. They knew that the constitution no more allowed a man to agitate for the purpose of changing the House of Lords into an elective body, than it permitted him to agitate the country for the purpose of destroying the hereditary descent of the Crown; and the pretéxts, which were used in defence of the one alteration, could, at any time, be put forward with equal validity in favour of the other. Neither were they im-

pressed with the opinion that the peers had in any shape shewn themselves unfitted for their high political functions, or had presented obstacles to the progress of good government. The agitator found that his rabid declamations had operated powerfully in restoring public opinion to a healthy state, and had opened its eyes to the unavoidable results of the schemes, which he and his co-adjutors were pushing forward. The ministry, too, and the Whigs suffered not a little from the consequences of his doctrines. They had kept aloof from him during his progress; they and their active partisans were not to be found among his hospitable entertainers, or applauding hearers; but he had announced that his union with the Whigs was founded on the circumstance that they had come over to his views, not that he had adopted theirs—that their principles and plans were altogether different from what they had been four years ago—nay, that they were not even the Whigs of last year. Men found a plain commentary upon this text in the conduct of the ministry on the Irish church question, when they wished to secure O'Connell as an ally in opposition, compared with the mode in which they had treated it, when formerly in power. Some of them, moreover, on public occasions, after the prorogation, expressed themselves in terms regarding the House of Lords, which, though less savage and blackguard than the invectives of O'Connell, implied views equally inconsistent with all sound constitutional principle; and O'Connell himself, on his return to Ireland, was received as a guest at the table of the lord-lieutenant—the representative of a king whose prerogatives he had

attacked, and one great safeguard of whose throne he had been labouring to destroy, and himself a member of that legislative body, on which the agitator had been heaping unmixed contumely and insult.

The Whigs felt the consequence of all this in some elections which took place after the close of the session. The death of the Whig member for Devizes having occasioned a vacancy for that borough, the electors supplied his place by choosing a conservative candidate. A vacancy likewise took place in the representation of the county of Northampton in consequence of the death of lord Milton, eldest son of earl Fitzwilliam, another supporter of the ministry. Many of the Whig voters refused to maintain any longer the cause of the "Whig-radical" cabinet, as O'Connell himself had baptized it; and the county, by a large majority, returned a conservative member. The Whigs found it necessary to disclaim all participation in schemes and opinions which had become so obnoxious; and lord John Russell took the opportunity of a public dinner to announce, that he and his colleagues were altogether opposed to what he termed organic changes in the constitution,

In the beginning of the present year, intelligence was received in England of part of our settlements at the Cape of Good Hope, having been exposed to danger, during the last days of 1834, from an unexpected irruption of the Caffre hordes on the eastern frontier of the colony. The occasion of the irruption did not clearly appear. The Caffre-chiefs complained of having been unjustly stripped of their property, and it was said that a patrol which had been sent

to recover some cattle which had either been stolen, or had strayed across the frontiers, having been unable to find the objects of their search, had brought off, in their place, a number of cattle belonging to the Caffres. Shortly afterwards, in the end of December 1834, the Caffres sought their revenge by invading the colony. They crossed the frontier on different points at once; their numbers were stated variously from 30,000 to 10,000; only a small portion of them were provided with fire arms or ammunition; but they were able to do great injury, in consequence of the population being much scattered in the district which they attacked. From the Great Fish River, the boundary on the east between the colony and them, the first town which could present resistance, or present the means of a military combination, was Grahamstown. The intervening country was occupied by individual farming establishments, and a few trivial military posts. Having crossed the Great Fish River, where no attack was apprehended, the Caffres spread themselves out over this tract of country in different directions; burning the crops, driving off the herds of cattle—which seemed to be their principal object, and putting to death the farmers who fell into their hands. In one instance, while they murdered two farmers, they assisted the wife and child of one of them to make their way to Graham's-town. The colonists crowded into the town, for the protection of their lives, abandoning their property to the fury of the savages. The town itself, although little apprehension was entertained that

the invaders would advance so far, was prepared for defence. The inhabitants were armed, and marched to the assistance of the military patrols stationed in the country, and military law was proclaimed throughout the districts.

So soon as the intelligence reached Cape Town, re-inforcements and a ship of war were despatched to Algoa Bay, near the scene of action. The burgher contingents of the intermediate districts were called out, and the governor of the colony left Cape Town for the frontier in the beginning of January. During that month, the Caffres still continued to molest the colony, appearing on points where the military resources of the colony were not yet sufficiently united to oppose them; but as the troops arrived on the spot, the invaders, avoiding any regular engagement, either retired into the fastnesses on their own frontier, or dispersed themselves through the bush along the Fish River. Towards the end of January, a detachment of the troops entered their country; and marched as far as the head village of one of their principal chiefs, which they found deserted, the immense herds of cattle, which had been carried off from the colony, having been removed farther into the interior. It was remarkable that all the missionaries resident within the territories of the Caffres, about thirty-five in number, escaped in safety to Grahamstown, after the invasion had been begun. On the 12th of February, the troops, commanded by colonel Smith, made a combined attack on five different points of the enemy's position along the Fish River. The Caffres defended themselves

pertinaciously; but they were driven from their position, leaving behind them seventy-three men killed, and 2,500 head of cattle, besides sheep and goats. The loss on the side of the colonists was five men killed and eight wounded. Colonel Smith pursued the retreating Caffres, and drove them, with great success, beyond even the neutral territory. But the Caffres, when they were beaten upon one point, soon appeared again on another; committing every species of depredation, and showing no quarter to those who fell into their power. On the 27th of March, the troops crossed the Keiskamma, to attack the enemy at a point where they had assembled in great force. The result was successful, but from the nature of the country, the bushes being very thick and favourable for their escape, comparatively few of the Caffres were slain: 1,200 head of cattle were, however, secured, besides considerable flocks of goats; 150 women were also taken prisoners, and upwards of 500 huts destroyed, while not a single loss of life was sustained on the part of the colonists, and only one man was wounded. On the following day, however, the herd of cattle belonging to the farmers who had taken refuge at Fort Beaufort having been sent out under charge of some Hottentots and two Englishmen, they had not proceeded many hundred yards from the post, before a party of Caffres, who were concealed in the bush, rushed down upon them, killed two of the party, wounded others, and carried off the greater portion of the cattle, before any assistance could be rendered from the camp. During the month of April, the

governor continued to advance, at the head of the army, into Caffreland; and as he advanced, the confederacy of chiefs, by whom the invasion had been planned, began to dissolve. The territories of one of these chiefs, named Hintza, having been occupied, he repaired to the British camp, on the 29th of April, with a retinue of only fifty followers, held a conference with the commander-in-chief and signed a treaty, whereby he engaged to deliver to the governor 50,000 head of cattle and 1,000 horses, half the number immediately, and the other half at the end of twelve months; to command, as chief of Western Caffreland, all the tribes under his authority to cease hostilities, and to deliver up all the arms in their possession to the British authorities; to make reparation to the widows and families of the colonists who had fallen victims to his proceedings, and to give hostages immediately for the fulfilment of the above articles. Part of the hostile territory, was required to be ceded, and was formed into a new province. The heads of some powerful native families placed themselves under the protection of the colonial government, declaring themselves to be British subjects; and the governor, by a proclamation, offered the same privilege to the different tribes who had not joined in the invasion.

The other hostile tribes, still continued in the field, now treating as their enemies those of their own countrymen who had submitted, or who inhabited the ceded territory, as well as the colonists and the British army. Their operations were principally in the neighbourhood

of the river Kei, but occasionally were extended along the whole line of the eastern frontier, always ending in the murder of colonists, and the carrying off cattle. The warfare, at the same time, was so desultory, that no exertions of the troops could bring it to an end; and—what was worse—the invaders were said to be encouraged at least indirectly, by discontented persons in the colony, who justified or palliated their conduct while they reprobated that of the government. On the 17th of August, the governor, (sir Benjamin D'Urban), in answering an address presented to him by the inhabitants of one of the invaded districts, approving of the measures which he had adopted, expressed himself thus: “I, too, have observed with regret corresponding to that expressed in the address, and I acknowledge, not without painful astonishment, the dangerous efforts of some (I would fain hope but of a very few) persons within the colony, to sacrifice the cause and to degrade the character of their fellow-countrymen, in defence of those of a savage and treacherous enemy; nor do they scruple even to pass over unnoticed, or to hold as trifling, the almost unparalleled sufferings of the former in the barbarous invasions which laid the frontier districts in blood and ashes, while they earnestly invite all commiseration for the case of the latter. These misrepresentations have not failed to produce all the pernicious present effects which the address imputes to them, and I may not here conceal my conviction that the support thus extended to the cause of the enemy and reprobation lavished upon that of the colonists, as reck-

lessly maintained as industriously disseminated, having been communicated to the savage chiefs, has supplied an encouragement, which has acted as an incentive to reanimate among them a spirit of resistance, which had been well nigh extinguished,—has prevented submission, which they had been about to make,—and has, consequently, been a main cause of their recently renewed and obstinate hostilities on the side of the mountains, and of the continued bloodshed by which it has been necessarily attended. “Hence, too, has in great degree arisen the necessity which has compelled me unwillingly to call out again a portion of the burgher force.”

The accounts received in the end of the year, represented the condition of the eastern frontier to be still unsatisfactory, as little reliance could be placed on the subjects of the king, acquired by the recent treaty with the Caffres. The Fingoes, who had been established in the ceded territory, had broken up their locations, and dispersed themselves in the surrounding country, wandering about in great distress; but the executive were doing everything in their power to locate them in situations, where they might derive subsistence from the produce of the soil. The Caffres were gradually returning to the several places allotted to them, and were resuming their employment at that season—the cultivation of the soil. Most of the marauding parties had suspended operations or retired altogether. No robbery of any consequence had been committed for some time, the only depredations being the capture of some few sheep.

In the West Indian islands, the

occurrences of the year were connected principally with the great change which had been introduced among their population by the act for the abolition of slavery. That measure had come into operation in the latter part of 1834: the slaves then passed into the state of apprentices. Much anxiety had been entertained for the result of the experiment, both as it regarded the habits of the negroes and the peace of the colonies; it was feared that idleness might succeed to compulsory labour, destroying or greatly impairing the productiveness of the islands, and that the unwonted enjoyment of their new rights, or impatience of the restrictions by which they were still to be confined, might involve the colonies in confusion. With the exception, however, of some passing instances of insubordination, which seemed not unfrequently to arise from the negroes misunderstanding the extent of their newly-acquired rights, and the obligations of the duties to which the law still bound them, these fears were not realized. The experiment, mighty as it was, went into operation without verifying the gloomy apprehensions which not unnaturally had been entertained by the planters. The apprentices did manifest, in more than one instance, an indisposition to labour, even to the extent which the law still required, and expressed their resolution by dogged and sometimes by noisy disobedience; but the vigorous execution of the law brought them back to their duty, and prevented any dangerous ebullition of discontent. In St. Vincent, the gangs on three estates obstinately refused to work in terms of the new law, or rather insisted on working only in the sense in which they understood it,

The magistrates and the police force, without the aid of the military, reduced them to obedience, and inflicted the lash on the ring-leaders in presence of their companions. In Demerara, a proclamation issued by the governor in the end of January, stated that the reports, which he had just received from the twelve judicial districts into which the territory was divided, showed not only the prevalence of perfect tranquillity, but the cheerfulness, subordination, industry, and general good conduct of the labouring population in their new relations. The local ordinance for the government of the apprentice-labourers had directed, that in each judicial district, a police station should be formed with a police serjeant and ten policemen. The governor stated, that it had not been found necessary to engage a single serjeant or policeman; their place having been supplied by the apprenticed labourers themselves, who had been maintaining public order since their emancipation, and were still maintaining it, without the intervention either of policemen or military. Greater symptoms of insubordination prevailed in Jamaica than in any other of the islands. The apprentices on a number of estates refused to work; and in the parish of St. Ann's disturbances took place, which it required the assistance of the military to suppress. In November, 1834, the House of Assembly presented an address to the governor, complaining heavily of the spirit of idleness and disobedience prevalent among the negroes, and the injury which it would inflict on the cultivation of the colony. In his answer, his excellency admitted that they had shewn a great disinclination to labour, but

he confidently expected a gradual amelioration of their habits. Lord Aberdeen, as colonial secretary, stated in the House of Lords, on 17th March, that, in regard to labour, the new system was going on well, and from the official accounts which he had received from all quarters, as well as from the reports made by the governors, it appeared, that the crop of the present year promised not to fall short of those of preceding seasons. On the 19th June, sir George Grey, then under-secretary for the colonial department, informed the House of Commons that, during the ten months which had elapsed since the 1st of August, 1834, when the new system came into operation, no injury or violence had been offered to any of the whites, and only one black had been hurt out of a population of 800,000 negroes, whom it was still necessary to keep in subordination.

The more marked spirit of disobedience, which at first showed itself in that colony, led to the farther evil of involving the legislature of that colony in unfortunate disputes with the executive. The government at home had resolved, in order to secure impartiality, and to give the negroes confidence in the administration of that coercion which the effects of the new system might render necessary, to send out stipendiary magistrates, altogether unconnected with the colonial landed interest. They had made a great miscalculation, however, in the number which would be necessary. Only 100 had been appointed; and one of the first acts of lord Aberdeen had been to add 35 more, in consequence of the representations sent home from the colonies. In Jamaica, where the symp-

toms of insubordination were more threatening and dangerous than elsewhere, the planters found a positive want of magisterial functionaries to insure the maintenance of public tranquillity, and compel the due execution of the new law on the part of the negroes. On the 26th November 1834, both Houses of the legislature presented a joint address to the marquis of Sligo, the governor, informing him of this great evil, and requesting him to increase the number of local magistrates in each parish. The governor answered, that he could only transmit their application to the government at home; because to grant it would be contrary to the tenor of all his communications with the colonial office—by which his excellency seems only to have meant, that the government at home had laid it down as a rule not to appoint to the magistracy any person who was a planter. On receiving this answer, the House of Assembly, actuated perhaps by exaggerated apprehensions of the dangers to which they were exposed, voted certain resolutions more angry and grandiloquent than the case seemed to justify or require. They expressed their “astonishment and grief” that the governor, in the same answer in which he said that he had already named some of the local magistrates, should have informed them that it was inconsistent with his instructions to name more. They resolved—“That the communications or instructions emanating from, and expressly alluded to by his excellency, as those of the Colonial-office, are in direct opposition to the Abolition Act, and calculated to neutralize all the endeavours on the part of the colonial legis-

lature to carry its provisions into effect:—That this House can never recognize the unconstitutional principle, that any law, which has received the sanction of his majesty, can be suspended, abrogated, or annulled by any communications between the Colonial-office and the executive of the island:—that, whatever may be the nature of the communications and instructions received from the Colonial-office, this House think that his excellency might have considered himself fully justified in yielding to the pressure of circumstances, and to the wishes of both branches of the legislature, and thereby have incurred a responsibility of the government at home less awful than that which rests upon him:—That this House, and the proprietors of the island, actuated by self-preservation, have given, and are giving their most anxious and zealous co-operation to promote, if it be possible, the success of a measure in which every thing dear to them is involved—their homes, their families, their property, their existence:—that, under these circumstances, this House casts upon his excellency’s government the responsibility of answering for the consequences which may result from a measure in which the peace and prosperity of this island are so deeply involved.” The government at home having doubled the number of stipendiary magistrates in Jamaica, the ground of complaint of the Assembly on this score was removed; but when they were prorogued, the governor and they did not part from each other on any cordial footing.

The colonial legislature was again unexpectedly convoked on the 4th of August. From the

speech with which the governor opened the session, the principle object of assembling them appeared to have been the renewal of the police act, which would expire with the year, and which his excellency stated to be absolutely essential to the preservation of tranquillity and to the maintenance of proper discipline on estates, now that the law had taken away from the master the coercive power which he formerly possessed. He admitted, that in itself this was a heavy burden on the public purse; but he requested them to bear in mind that, even in a pecuniary point of view, it was an advantageous arrangement, because it was only in consequence of the provision made for this police force that he had not hitherto called on them to fulfil the engagements of the colony to provide subsistence for the troops which formed its garrison. He described the colony as being in a state of undisturbed tranquillity; precautionary steps having proved sufficient in every instance where insubordination was apprehended. He told them, however, that it was evident a new mode of management must be adopted under the new regulations, and that the change had already taken place on many estates. His excellency's account of the actual operation of the new law in regard to labour was the following: "The crop of this year has been got off in a much more favourable manner than could have been anticipated. That it has fallen somewhat short is undoubtedly true, as it appears from the custom-house returns that, up to the 1st July, 1835, 68,000 hogsheads of sugar have been shipped, showing a diminution of 4,444, or about

one-sixteenth in comparison with the previous year; but as I have not heard of a single instance of any canes remaining uncut, this diminution is to be attributed more to the failure of the produce of the canes in consequence of the weather, than to any want of sufficient labour to take them off.

With regard to the approaching crop on the coffee properties, it appears likely to be most luxuriant; but the preparations for next year on sugar estates are not generally as forward as usual. From the inquiries, however, I have made, though many are certainly rather backward, the average condition is far better than I anticipated, having always considered the success of the next crop to be much less certain than that of succeeding years. I still, however, hope that the desire for gain, on the part of the apprentices, which must promote a spirit of industry, will enable the managers to make up, between the present time and the commencement of crop, for the deficiency which now exists. I am happy to be enabled to inform you that so general is the habit of working for wages, and so very few the instances where it has been refused, that the idea once generally entertained of the apprentices being likely to decline labouring at all in their own time must be abandoned."

The Assembly did not meet their governor in better humour than they had parted from him. A warm discussion ensued upon the speech, and a member recommended the House to answer every passage "clearly and distinctly, because it is composed purposely as a manifesto to deceive the public mind in England." A committee was ultimately appointed to draw up an answer, and desired to adopt

the above recommendation. The House accordingly agreed to an address, in which they stated their opinion to be different from that of the governor in regard to some of the measures which he had proposed, and informed him that he had been greatly misinformed as to the working of the new system. Of the police bill, which had been the principle cause of assembling them, they said—

“We admit the absolute necessity of maintaining an efficient police ; but as the present act does not expire till the end of the year, we think the consideration of that subject may be deferred until the usual meeting, without any immediate injury to the public interest. Your excellency may rely, when that period arrives, that we shall give the subject the consideration which is demanded by a measure on which the continuation of cultivation and the tranquillity of the country depend.

“We congratulate your excellency on having received such ‘reports’ as enabled you to state, that the police has attained a degree of efficiency ‘not to have been attained in so short a time ; and however anxious we may be to procure officers acquainted with military discipline, or with the habits which are usual in similar bodies in other countries,’ yet we cannot, in duty to our constituents, place beyond our control so large a sum of money as is required for the maintenance of that body for a longer period than one year.

“As guardians of the public purse, we have ever, to the utmost extent of the resources of the colony, most liberally contributed to the support of the government ; but we will freely say to your excellency, that we consider the solemn

engagement which we came under in former times, and in a different state of society, for the support of a limited military garrison, to have been annulled along with the far more solemn engagements of the English government, under which our property in slaves was acquired, and to protect which we agreed to aid in paying the troops. In continuing a police, it will not be as a substitute for the troops, but because the experimental legislation, of which we are the subject, demands, in order to meet its dangers, extraordinary sacrifices.” They informed his excellency that the weather was in no degree to blame for the deficiency in the quantity of sugar exported—that the deficiency would turn out to be greater than he had supposed—and that even the quantity obtained had been procured at a ruinous sacrifice, as all the labour, which the law left at the disposal of the planters, had been applied in securing the crop on the ground, without any thing being done in preparing for the next.

“We are gratified to be informed by your excellency, that the appearance of the ensuing sugar crop is most luxuriant, and that, from the inquiries your excellency has made, although many of the sugar estates are rather backward, the average condition is far better than your excellency had anticipated ; your excellency having always considered the success of the next crop to be much less certain than that of succeeding years. It would be a great comfort to us, were we able to discover any possible ground of hope that succeeding crops would improve ; our decided conviction being that each succeeding crop will be progressively worse. That in some few cases, the ap-

prentices do work for wages, is true ; but we deeply regret to say that, from our personal experience of the past year, the opposite disposition so immeasurably preponderates, that no confidence whatever can be placed in voluntary labour.

“ We deeply regret our inability to join in the favourable anticipations entertained by your excellency of the success of the new system ; knowing, as we do, the prevailing reluctance evinced by the people to labour, the thefts, negligencies, and outrages of every description, that are becoming of such frequent occurrence ; seeing large portions of our neglected cane fields over-run with weeds, and a still larger extent of our pasture lands returning to a state of nature ; seeing, in fact, desolation already overspreading the very face of the land, it is impossible for us, without abandoning the evidence of our own senses, to entertain favourable anticipations, or to divest ourselves of the painful conviction, that the progressive and rapid deterioration of property will continue to keep pace with the apprenticeship, and that the termination thereof must (unless strong preventive measures are applied) complete the ruin of the colony.”

The governor, when this address was read to him, briefly answered, that its style prevented him from doing more than merely to acknowledge its delivery. The Assembly returned to their houses ; but, before the answer could be read, the provost marshall - general, waving the usual ceremony of being announced, appeared at the bar, and summoned the House in his majesty's name to attend at the council chamber. Several members expressed their indignation,

and hoped the reply would be read, before the House obeyed the summons, in order that it might appear on the minutes ; but their speaker informed them, that after having received his Majesty's immediate summons, they could not proceed to any other business, until they had obeyed. The House then proceeded over to the council chamber, where the governor dissolved them, telling them that “ the very offensive and uncalled-for tone which pervaded the whole of the address, one so totally deficient in the respect due to the representative of the sovereign, rendered it imperative on him to withhold all further communications with this Assembly.” A new election forthwith took place. In general, the same members were returned ; and the new Assembly met in November, with the same feelings and opinions which had characterized its predecessor, and which the hasty dissolution had not tended to mitigate. The governor, however, made no allusion to the cause of the dissolution, but again anxiously pressed upon them the bill in aid of the abolition act, and the police bill, both of which were to expire with the year. The British government, they were informed, expected that these bills would be made co-extensive in duration with the period of apprenticeship ; and his excellency assured them, that if he had been able to hold out the inducement of a longer period of service under the police bill, he could have procured more efficient officers, better acquainted with that peculiar department of service. In their address in answer to the speech, the House remarked that they had made these measures temporary to have the opportunity of making

such improvements as experience might suggest, and promised to give their fullest consideration to them, as well as to other measures which had been recommended to their notice. The governor, in reply, expressed his satisfaction at the readiness with which they were about to enter upon public business; but, nevertheless, all his urgencies could not prevail upon them to pass the police bill for a longer period than a year.

We have already adverted, in our account of the parliamentary proceedings, to the civil dissensions which prevailed in Lower Canada. The government of sir Robert Peel, on entering upon office, found that nothing had been done since the committee of the House of Commons had made their report in the beginning of July, 1834; and the irritation of the French or democratic party had been increased by a dissolution, while the new elections did not diminish its power. The cabinet recalled Lord Aylmer, the governor of the province, not with the view of imputing blame to his excellency, or because any misconduct of his own had brought him into the relation in which he stood to the popular branch of the colonial legislature, but because that relation formed an addition to the embarrassments which obstructed the settlement of the questions at issue, and afforded no hope of his lordship being able to bring the subsisting differences to a satisfactory result. The constitutional party in Canada, consisting of all the respectable inhabitants who were not French, and of a portion even of the latter, learned this step with regret; for they viewed it as a sacrifice of the royal prerogative to the clamours of a party which

inculcated resistance to the authority of the parent state; and in Quebec an address was presented to his lordship before his departure, embodying these views. The ministry having resolved to send out as governor a person, who should likewise be authorized, as his majesty's commissioner, to inquire into and redress all real grievances, their choice fell on lord Canterbury, who had been raised to the peerage on losing his election to the speaker's chair in the Commons. Private concerns having induced him to decline the appointment, lord Amherst was named in his place; but before his lordship could proceed to his destination, the Peel ministry had fallen, and the arrangement of Canadian affairs was left to their successors, in whose hands, as their predecessors, they had been becoming more difficult of settlement during four years.

In the mean time, the colonial legislature had been assembled, after a new election, in the beginning of the year. The Assembly of the previous year, in revenge for the government refusing a bill to render elective the Upper House, or legislative council, had refused to the government the necessary funds for carrying on public business. The salaries of all the public servants were in arrear; for these, and other urgent purposes, lord Aylmer, under the instructions of Mr. Spring Rice, then colonial secretary, had advanced 31,000*l.* from the military chest; this proceeding was now added to the list of grievances, as being an expenditure of public money not voted by the legislature. A large majority of the new House of Assembly belonged to the same party with

its predecessor. M. Papineau, the head of that party, was again elected speaker, in opposition to the government; and the first step of the House, even before taking into consideration the speech with which the governor opened the session, was to pass a resolution for expunging from their journals the speech with which he had closed the preceding session, on the ground that it implied a censure on their proceedings in transmitting the petitions complaining of the ninety-two grievances to the parliament at home, and that any censure of the proceedings of the House on the part of another branch of the legislature, or of the executive government, was a violation of the statute in virtue of which the House was constituted—an infringement of its privileges which they could not dispense with protesting against—and a dangerous attack upon the rights and liberties of his majesty's subjects in the province. In the address which they voted in answer to the speech, they insisted on the illegality of money having been advanced which they had not appropriated, and repeated that demand in regard to a change in the constitution of the legislative council, which had rendered the refusal of the supply bill unavoidable. "We regret," they said, "that his majesty's government should have resorted, for defraying the expenses of the civil government and administration of justice, to the application of any funds levied in this province, which are, of right, and ought effectually to be, under the control of this House. We also regret, that any other funds should have been applied to the same purpose without the votes of this House, thus destroying the

wholesome and constitutional influence which the people ought to have, through their representatives, over every branch of the executive government." On the other point, they declared to the governor, "that the great body of the people of this province, without distinction, consider the extension of the elective principle, and its introduction into the constitution of the legislative council in particular, the full and unimpeded enjoyment by the legislature of this province, and by this House, of their legislative and constitutional rights, and the separation of all grievances and abuses, as essential to the wants, condition, and happiness, of his majesty's faithful Canadian subjects, and necessary to strengthen their confidence in his majesty's government. We also most respectfully pray your excellency to be pleased to convey to his most gracious majesty this our humble but firm opinion, so that his majesty and his parliament may remove the causes which have impeded the prosperity of the province, and secure for the future the welfare and content of its inhabitants under the government of his majesty." The majorities, by which passages like these were carried, were almost one-half of the House, the largest minority having been twenty-six to forty-eight.

While they left the civil service of the colony, and even the administration of justice unprovided for, one of their first acts was to pass what they termed the agents bill, that is a bill for paying a salary of 600*l.* per annum, and 500*l.* for contingencies, to Mr. Roebuck, member for Bath, in the British parliament, as their agent in England. This gentle-

man's occupation, in return for his wages, consisted in pressing upon parliament and the colonial office the demands of his constituents, who formed but one branch of the constituted authorities of Canada. It was scarcely decent in the House of Assembly to request the legislative council to agree to a bill whose object was to create an instrument for the destruction of that very body, or to salary a person who, in the House of Commons, had designated the council as a moral pest, and was only discharging his duty as a mandatory in endeavouring to put it down. The council threw out the bill. Their next step was to provide for their own expenses, while they would neither provide for the ordinary civil service, nor for the repayment of the money which government had advanced to that service. On the 3rd of March, they voted an address to the governor to sanction the appropriation of 18,000*l.* for payment of arrears and current allowances to members, and other contingent expenses connected with the Houses. The governor answered, that, as matters stood, this was a request demanding grave consideration, and appearing to him to involve questions of great importance in a constitutional point of view; they would receive his answer after he should have deliberately examined the question in all its bearings. The opposition members then abandoned the House. A sufficient number of members to form a House did not attend; and on the 19th of March, the governor was under the necessity of adjourning the session, on the ground that, as, for some days past, the attendance of a number of members to

constitute a quorum had been wanting to enable the Assembly to proceed to business, and as it might be inferred from some recent proceedings of the Assembly that no further business would be transacted in that branch of the provincial parliament, he could no longer feel justified in detaining from their homes and usual occupations those members of the two Houses of the Provincial Parliament who might be disposed to persevere in the performance of their legislative duties.

On the restoration of the Melbourne ministry to power, they adhered to the plan which the preceding government had determined to follow; but instead of vesting the powers of commissioner in the governor alone, they appointed lord Gosford to the latter situation, placing him likewise at the head of a commission consisting of other members. The commissioners arrived at Quebec in the end of August, and entered on their investigations; and the new governor met the legislature on the 27th of October. His excellency addressed the two Houses in a very long speech, explanatory of the purposes for which he had been sent to them both as a governor and commissioner, and setting forth the remedies which he was authorized to apply to several of their alleged grievances—such as the preference of the English language over the French, and the preference of Canadians of British origin over those of French origin for public offices—the holding of incompatible offices—the non-communication of despatches between the colonial government and the government at home—interfering at elections—

calling for extrajudicial opinions from the judges on matters which might subsequently come before them for decision—the too frequent reservation of bills for the signification of his majesty's pleasure, and too great delay in communicating his decision. He stated likewise that he was authorized to sanction the grants for their own expenses, which lord Aylmer, in the beginning of the year, had reserved for consideration. On the other points connected with the control of the finances, one of the principal objects of the disaffected party, his excellency expressed himself thus: “I have received the commands of our most gracious sovereign to acquaint you that his majesty is disposed to place under the control of the representatives of the people all public monies payable to his majesty, or to his officers in the province, whether arising from taxes or from any other Canadian source; but that this cession cannot be made except on conditions which must be maturely weighed, and that to arrange such conditions for your consideration is one of the principal objects of the commission, with which it has pleased his majesty to charge myself and my colleagues.

“I have desired that the accounts which are necessary to show the financial state of the province, with an estimate for the current year, should be submitted to you as soon as possible; and every explanation respecting them, which it may be in my power to afford shall be furnished without reserve. These accounts show the large arrears that are now due for salaries to public officers, and for the other ordinary

expenditure of the government; and I earnestly request of you to pass such votes as may effect the liquidation of these arrears, and provide for the maintenance of the public servants, pending the inquiry by the commissioners to which I have alluded.

“Should you place the government in this position, I am authorized to engage that no part of the surplus proceeds of the Crown revenues, which may accrue beyond the charges to which they are at present permanently liable, shall, in the interval of the commissioners' inquiry, be applied to any purposes whatever, unless with your assent.

“As connected with the subject of arrears, I am further commanded to ask of you the repayment to the military chest of the sum advanced, under the sanction of his majesty's government, to meet the pressing exigencies of the public service. This advance was exclusively made from British funds, for the purpose of avoiding any undue interference with the revenues falling under the control of the Assembly, and with a strong persuasion that it would not prejudice the satisfactory adjustment of any of the questions at issue between his majesty's government and the House of Assembly. However, the measure may have been subsequently understood, such were the feelings with which it was adopted. It is obvious that this application does not call on you to grant the smallest amount more than would have been required, if there had been no advance.” He likewise informed them, that one of the most urgent occupations of the commissioners would consist in preparing a bill for giving up to

the appropriation of the House of Assembly the net proceeds of the hereditary revenue, two necessary conditions of such a measure being that the sources of that revenue should continue to be managed by the officers of the Crown, whose accounts would be open to inspection, and that an adequate civil list should be provided. In regard to the disputes between the two Houses, his excellency held out to them for imitation the conduct of the peers and commons at home in relation to municipal corporations, as an example of difference of opinion between two bodies, accompanied with mutual forbearance and respect. He did not announce any intention of conceding to the opposition the conversion of the legislative council into an elective body, but neither did he declare frankly and decidedly, that it was a point which would not be yielded. It formed one of those topics, which he said the commissioners would take into consideration: they would receive the fullest evidence and information which might be tendered respecting them, and would submit to his majesty the conclusions regarding them at which they might arrive.

This last point the House of Assembly in their address did not permit to be thus put aside. One of its first paragraphs was thus expressed; "we must declare most respectfully to your excellency, that the great body of the people of this province, without distinction, consider the extension of the elective principle, and its application to the constitution of the legislative council in particular, the repeal of the acts passed in Great Britain on matters concerning the inter-

VOL. LXXVII.

nal government of the province and fully within the jurisdiction of the provincial parliament, as well as of the privileges conferred by such acts, and the full and unrestrained enjoyment on the part of the legislature and of this House of their legislative and constitutional rights, as being essential to the prosperity, welfare, and happiness of his majesty's faithful Canadian subjects, and as being necessary to insure their confidence in his government, and their future welfare and contentment under it, and to remove the causes which have been obstacles thereto. And we also most respectfully pray your excellency that, in those future communications to which you have alluded between your excellency and his most gracious majesty or his government on the subject of the great interests of this province, your excellency will be pleased not to lose sight of this firm conviction on the part of the people, which we feel in common with them." They received with pleasure the assurance that they were to receive a more extended control over the revenue payable to his majesty, whether arising from taxes or from any other Canadian source, but they carefully avoided giving any pledge for payment of the 30,000*l.* which government had advanced, and rather hinted that such a demand was fitted only to disturb the harmony which the governor was so desirous to establish. "All matters of this nature," they said, "are so essentially connected with the interests of our constituents and the peculiar privileges of this House, that we cannot fail to be guided in our determination respecting them by what we believe to be the con-

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stitutional privileges of this branch of the legislature and for the welfare of the province. The request made by your excellency, in consequence of measures heretofore adopted by the executive power, and with regard to which we have already humbly expressed our opinions to his majesty's government, is so intimately connected with the same rights and privileges, that it will be our duty to take it into consideration with the same views and sentiments. We ought, however, to express to your excellency our conviction, that the application of any sums of money subject to the control of this House, without the consent of the representatives of the people, would tend to create an obstacle to the arrangements contemplated by his majesty's government, and which we desire with much sincerity to see completed."

The first thing, however, which the House of Assembly did, was to repeat the useless insult offered to the legislative council, by sending up again the agents' bill for the appointment of Mr. Roebuck. The council threw out the bill; the majority of the members feeling that they could not, without com-

promising their own respectability, sanction intercourse with a man who had declared that body a nuisance. There was neither sense nor good feeling in this conduct of the popular body. The House of Assembly might be entitled to have an agent of their own, to prosecute their own particular designs against the council; Mr. Roebuck, too, might be excellently qualified to discharge such duties; and there could be no objection to his constituents, who employed him for their own particular purposes, paying him out of their own pockets; but it was something more than unreasonable to insist that such an agent, for the prosecution of such designs, should be paid out of the public purse, and have his appointment ratified even by that portion of the legislative body against which he was to act. To be the agent of the legislature, and of the political province of Lower Canada, was a very different thing from being the agent of its House of Assembly. On the bill being rejected, the House of Assembly gave Mr. Roebuck the appointment at their own hands, and resolved to pay his salary out of the public money allowed to them for their own contingencies.

CHAP. XV.

FRANCE.—*Meeting of the Chambers—Discussions regarding changes of Ministry—Committee to inquire into the Tobacco Monopoly—Marshal Mortier resigns, and the Duke de Broglie is made Prime Minister—Finance—Commercial Legislation—Bill regarding the responsibility of Ministers—Petitions for Reform in the Representation—State Trials before the Chamber of Peers—Dispute between the Government and the Bar, as to the Defence of the Prisoners—Turbulent conduct of the Accused—The Trials proceed in absence of the Accused, who refuse to attend peaceably—Proceedings of the Chamber of Peers against the Press, and a member of the Chamber of Deputies—Convictions of the State-prisoners—Attempt to assassinate the King, by the explosion of an Infernal Machine—New Laws modifying Trial by Jury, and limiting the liberty of the Press—State Trials resumed—Military events in Algiers—Dispute with the United States.*

THE French Chambers met for the session of 1835, in the beginning of December, 1834. They had been formally assembled on 31st July of that year, after the general election the royal speech had then been delivered; the address in answer to it had been voted, and the Chambers had immediately been prorogued, on the 16th of August, as the ordinary business of the year had been finished in the regular session, which terminated immediately before the general election. When they assembled therefore in December for the session of 1835, no second speech from the throne was delivered; and the opposition complained that they were unfairly deprived of that opportunity of

discussing all the political relations of the state, which is presented by voting an address. In the interval, too, events had occurred, which are always peculiarly interesting to an opposition. Three prime ministers had resigned; three different cabinets had been dissolved; and the series of changes had terminated in restoring to their offices the men with whom the cycle of resignations had begun, except that marshal Mortier was at their head, as president of the council, in place of marshal Soult.* Instead of discussing an address, the same object was gained by the opposition calling on ministers to explain what was

* See Vol. LXXVI. p. 363.

termed their "system," and to declare whether they adhered to the address voted by the Chamber four months before, and particularly to its declaration that the expenditure must be reduced to the amount of the revenue. The changes in the cabinet, they said, had of late been so rapid as to deprive the government of all dignity and apparent stability: ministers seemed to start up and to disappear at some individual command, independent of public opinion. The king's prerogative to name his ministers was absolute, but the Chambers also had the privilege of refusing their support to those ministers. M. Tarry and M. C. Dupin, who had been members of the short-lived cabinet of the duke of Bassano, made statements which showed that their administration had perished because it differed in opinion from the king. They had taken office in the expectation that an amnesty for all political offences would be granted, and that they would be allowed to effect considerable reductions in the public expenditure. On both points they had found themselves overruled. The ministry told the Chamber to look for their system in the consequences which it had produced—prosperity at home, and peace, and respect, and influence abroad. If any man, said M. Thiers, the minister of the Interior,—if any man had predicted in July 1830, a revolution will take place—it will subvert a throne—and yet for four years not a scaffold will be erected—for four years afterwards the country will be in security, and not only in the enjoyment of peace, but surrounded with a girdle of constitutional states—tranquillity will prevail throughout Europe—the national

prosperity will be superior to anything known under the Restoration, after fifteen years' of peace—instead of national bankruptcy, the deficit caused by the Restoration will be successively filled up;—had such language been held, would it have been credited? And yet these results were not imaginary; they were real, and admitted of incontestible proof. In Switzerland aristocratic governments had been replaced by moderate governments. The hostile government of the Netherlands had been dissolved. The monkish government of Ferdinand had been replaced by a constitutional monarchy. Don Miguel had been replaced on the throne of Portugal by Donna Maria. How had these results been accomplished without a war and with the consent of Europe?—by the wisdom of the ministerial system. England was at this moment at issue with a new administration; and yet the public mind in that country was tranquil, because it was certain that, whatever cabinet might ultimately be formed, the principle of reform would be prudently and moderately developed, or else the government would not find support from the country. Whence arose the consciousness of security?—from the general feeling that the progress of reform could not be arrested by any ministry. This confidence could not exist, but for the display of the prudence of the French government. Had France three years ago adopted violent measures, the Whigs could not have obtained, and, above all, maintained power. At home they had, indeed, refused an amnesty, and had done so because it was demanded with party views, and would be abused to party purposes.

It would be a measure not of conciliation, but of dissension. An amnesty, the source of which was equivocal, and that would only have divided the public mind, was not a measure that could be safely recommended to the government. The economy, again, of the government was sufficiently proved by the great reduction which had taken place in the annual deficit, notwithstanding the extraordinary expenses to which the country had been exposed. In 1827, that deficit had amounted to 39,000,000, francs; in 1828, to 45,000,000: in 1829, to 53,000,000: in this state it was found by the Revolution of July, at a period of general peace; at the present hour the deficit was reduced to 21,000,000; in 1836 it would disappear altogether. From the ministerial side of the House, a resolution was moved, "That the Chamber, being satisfied with the explanations given relative to the line of policy pursued by the government, finds nothing in it but what is conformable to the principles laid down in its address, and therefore passes to the order of the day." The opposition, on the other hand, moved simply the order of the day, without any expressions which might imply approbation of either the past or the prospective policy of the ministry. M. Dupin, the president, disclaimed for himself and his friends the title of the *tiers parti*, or any pretensions to be a party at all. But he voted against the ministerial proposition, which, however, was carried by a majority of sixty-seven.

Another vote relating to the confidence to be reposed in the ministry was taken shortly afterwards, in connection with a matter

which at first sight did not seem to suggest it. As mentioned in our last volume, the government had resolved to bring some hundreds of political offenders, accused of republicanism, to trial before the Chamber of Peers, as a court of justice. The government now presented a bill authorising a grant of 360,000 francs (14,400*l.*) for the purpose of erecting a temporary building or hall in which these trials might be carried on. The opposition wished an amnesty, and therefore were hostile to these trials proceeding in any shape. If, again, the trials were to proceed, the opposition wished them to be conducted before the ordinary tribunals. They raised these questions, therefore, on the motion for the grant. They opposed it, because it was temporary, and to concede it would be confirming a purpose to which they were hostile. But they were willing to grant a sum for the erection of a permanent building to be used by the peers, when sitting as a court of justice, and accordingly proposed that 51,200*l.* (1,280,000 francs) should be voted, instead of the 14,400*l.* which ministers had demanded. The committee on the bill recommended the larger grant. Their report led to a strong debate of several days' duration, in which every topic of reproach and recrimination was reproduced, till the president said: "To induce a speaker to confine himself to the question has, for the last three days, become impossible; for it would seem that all have consented not to say a single word which has any reference to it. It is, in fact, on that understanding that all the speakers have come forward. Perhaps, after this pretended general

discussion, the Chamber will see the necessity of considering the question, were it for nothing else than the independence of the vote." Ministers threw out the report, and carried their point, but only by a majority of twenty-eight. The followers of M. Dupin again voted against them.

The next attack of the opposition was made, and made more successfully, in relation to the continuance of the government monopoly of the sale of tobacco. This was a monopoly of very modern growth; it had been created by Napoleon, when the effects of his continental system had driven him to endeavour to raise out of the soil of France the productions, or substitutes for the productions, of all other countries. He gave to the growers pecuniary privileges; the government engaged to purchase, at a remunerating price, all the tobacco which might be raised, and, on the other hand, it took to itself the exclusive privilege of selling. This monopoly had been found too profitable to be abandoned, having been continued from time to time after the Restoration. By the existing law, it was to expire on the 1st of January, 1837, and government now introduced a bill to continue it for five years longer. The finance minister, who had been its enemy when he was not in office, defended the proposal principally on the ground, that the monopoly yielded an annual revenue of 50,000,000 of francs, or 2,000,000*l.* which could not be replaced but by other imposts which would fall heavily on the country. Many ministerial members opposed the measure; the attorney-general himself spoke against it. The bill however, was carried by a small majority. The attorney-general,

with a view to its discontinuance after the expiry of the five years, then moved the appointment of a select committee by the Chamber, consisting of nine members, to collect all facts and documents relating to the cultivation, manufacture, and sale of tobacco, as connected with the interests of the treasury, of agriculture, and commerce. The committee was to report, if practicable, during the session; and, if not, a new committee was to be appointed in the following session to continue the inquiry. The motion was opposed, not merely on its own merits, but on the injurious consequences of beginning a practice of instituting such inquiries by committees of the Chamber, instead of leaving them to the government.

M. Salvandy spoke with great vehemence of the danger of establishing such a precedent in the forms of French legislation. He could see no good forthcoming from any such mode of proceeding as naming a similar committee, and he was horror-struck at the idea of adopting any of the "barbarisms" of the English constitution, as he considered parliamentary committees to be. The motion was carried by no less a majority than 101. Ministers, seeing how opinion ran, did not commit themselves by voting in the minority; but they felt that a point had been carried, which they would have resisted, if they had been able to do it successfully. The members, too, who were put upon the committee, were in most instances persons more or less hostile to the government; and its chairman was M. Dupin, who had shown himself occasionally its determined opponent.

There immediately followed another dissolution of the ministry.

Marshal Mortier, dissatisfied with his position, resigned his office of president of the council towards the end of February, and an interregnum ensued for more than three weeks. All the difficulties which occurred in re-constructing the cabinet were still ascribed to the unwillingness of independent men to become members of a ministry governed entirely by the will of the king himself. On the 11th of March, M. Sade brought the matter before the Chamber, complaining that now for twenty days France had been left in a state of anarchy and confusion. He maintained, that the Chamber was bound to interfere, if it did not mean to disclaim all influence over the affairs of the country. It was from that tribune that thenceforth the direction of public affairs must proceed. The Chamber, however, did not adopt any address; and two days afterwards, a new cabinet was formed—by all the old ministers keeping their places under a new premier. The duke of Broglie, who had resigned in the preceding year, when the Chamber refused to vote the money for paying the American claims, became president of the council and foreign minister at a time when that question was again about to be raised. The ministry of war, which had been held by marshal Mortier, along with the presidency of the council, was given to marshal Maison, ambassador at St. Petersburg; and the portfolio, till his return, was confided to admiral Rigny, who remained without an office, the seals of the foreign department having been taken by the new premier, on whose former resignation admiral Rigny had received them. Thus there was not even a new

“combination,” of which Frenchmen are so fond; it was the same cabinet restored to life, after having been for three weeks in a state of suspended animation. The opposition, as usual, insisted, in the Chamber, on being told why ministers had left the country for three weeks without a government, why they had again taken office, what were the differences which existed among them; as usual, they obtained no satisfactory explanations, but had an adjourned debate on every thing political, foreign, and domestic. It only appeared from the revelations of the ministers that the questions of the amnesty and the intended state trials had substantially been the occasion of their embarrassments, and that the opinion that no amnesty should be granted had prevailed. M. Guizot and M. Thiers, however, in the name of the new government, challenged the Chamber to declare itself on the subject; and if the amnesty were thought a wise and salutary measure, to withhold all parliamentary support from an administration avowedly formed on a different basis. In that case, M. Guizot emphatically reminded his audience that the Chamber would be seizing the initiative, and would therefore be bound to bear the whole of the responsibility. Neither party took the opinion of the Chamber on any specific proposition.

A few days, afterwards, the strength of the ministry was tried on the demand of the home minister for 1,200,000 francs (48,000*l.*) as secret-service money, in addition to the sums which had already been voted for that purpose. In introducing the bill, the minister told the Chamber that the country was still

in a state of general excitement—that the approaching state trials called for an increase of vigilance—that a country just recovered from the first effects of a great revolution required the employment of extensive means to prevent its going through another—and that all these things duly considered, it was found necessary to increase the police establishment of the country and enlarge its power of action: the money was therefore indispensable. M. Thiers declared, that he and his colleagues would consider the refusal of the grant as equivalent to a declaration of want of confidence, which would lead to their resignation. The party of M. Dupin moved an amendment merely reducing the sum from 1,200,000 francs to 1,000,000 — from 48,000*l.* to 40 000*l.* This amendment was lost by a small majority; and the question then being between the original sum and no sum at all, the *tiers parti* voted with ministers, who had a majority of 130. Thus the parliamentary security of the ministry seemed to be sufficiently fixed; and events which followed greatly strengthened it, by alarming all the friends of public tranquillity for the consequences which might follow, if power passed into the hands of men more inclined to listen to the demands of popular encroachment.

Till the occurrence of these events led to very weighty modifications of the constitutional arrangements of France, the legislation of the year did not present any very marked features. The budget of the minister of Finance fixed an expenditure for the year 1836, of 1,001,904,935 francs, or 0,076,197*l.*, whilst the receipts were estimated at 994,985,987 francs, or

39,799,439*l.*, leaving a deficiency of about 276,758*l.* The expense of the army, consisting of 309,000 men, was stated at 230 millions (9,200,000*l.*); but the committee to whom the budget was referred, proposed reductions to the extent of about 225,000*l.* The items of the budget seemed to satisfy the Chamber, and did not lead to any interesting discussion. Two sums, for which marshal Soult had formerly taken credit when minister of war, were disallowed, viz. a sum of 3,430 francs for new furniture to his sitting room at the war-office, and another of 270,560 francs, which he had taken it upon him to pay to various officers formerly attached to the body-guard of Joseph Buonaparte. Thus these two sums (nearly 11,000*l.*) became a debt due to the public by the marshal, who, in the mean time, was complaining of poverty, and trying to prevail on the king to purchase some of the Murillos, which adorned his gallery, part of his share of the plunder of Spain.

In our last volume, we have recorded the failure of all attempts to effect a reform in the commercial legislation of France, by removing or diminishing the prohibitions or prohibitory duties on imports from foreign countries, imposed for the fancied protection of French manufactures.* After the prorogation of the Chambers, M. Duchatel, the minister of commerce, assembled at Paris what he termed a superior council of trade, to assist him in investigating the subject. The chamber of commerce of Bordeaux refused to become parties to the inquiry, which they said, “must be vain and barren.” Its only effect will be to accumu-

* Vol. LXXVI. p. 355.

late exceptional and hostile facts, presented with a view to conflicting interests, and which, as they arise from a system of privilege, will claim a continuation of that privilege, as an integral part of those interests that have been created thereby. Such an inquest will not throw light upon facts—it will render them obscure.—The interests that have proceeded from commercial liberty are expiring; the restrictive system stifles them; they have nothing to bring forward but recollections and regrets. The privileged interests, on the contrary, are in their full force and glory; they are in possession of the ground; they have access to the ear of power, and the support of the government capitalists. Such a struggle is too unequal; they have fortune on their side, and we have merely justice! Their voices must therefore necessarily prevail in the investigation. The minister will, in the midst of this interested clamour, find himself without a compass to steer by; he will not be able to grant protection without destroying liberty, and he cannot re-establish commercial liberty without striking at the root of protection; and thus, floating between the principle of prohibition and that of admission, he will fall into the most enervating position that any former legislator ever had the imprudence to plunge himself into.” Several manufacturers were examined before this council of trade, and the bearing of their evidence, as might have been expected, was in favour of prohibitions and prohibitory duties, while they betrayed, in many cases, great ignorance regarding the elements of the comparisons which they were attempting to institute. Of the manufacturers of plated

goods, one of the prohibited articles, two gentlemen were desirous that a duty of thirty per cent, should be substituted for the absolute prohibition; but the other manufacturers examined before the council declared their conviction that the removal of the prohibition would be the ruin of the French manufacture, and that no amount of duty could possibly save it. One of the witnesses read a letter to this effect, signed by twenty-nine of his brother manufacturers. One of the reasons stated by these gentlemen for holding this opinion was, that it is a common thing for English lords to become sleeping partners in the manufactories of plated goods at Birmingham, which circumstance, by giving such establishments enormous capitals, renders it impossible for the French to compete with them, and that a large bounty is paid in England on the exportation of plated-goods!

In the present session, the minister of commerce introduced a bill to modify the customs tariff. It was referred, in the usual form to a committee, who made their report in the beginning of March. Neither the bill nor the report went much farther than the faculty which the Crown already possessed of reducing certain duties for a time by a royal ordinance. The report proposed that in its most essential parts the existing legislation should be maintained, but that the power of the government, during a recess, to modify those provisions of the tariff which were applicable to the importation of raw materials, should be extended specifically to cotton-twist, iron, “and such other materials necessary in various branches of industry,” as were utterly ex-

cluded by the existing law which regulated the government's power of temporarily modifying by ordinance. It recommended, likewise, that prohibitory duties should be substituted for entire prohibition. As a standard for such duties, the report referred to carpets of foreign manufacture, not admitted into France according to the present law, but which might be declared admissible on the payment of a duty of 500 francs per 100 kilogrammes. For instance, a Turkey carpet of the size of fifteen feet by fifteen would be taxed at 1,500 francs (70*l.*). The committee must have been amusing themselves with words, when they called such a duty a substitute for prohibition. Neither did they observe, that as the power of the government to modify, to whatever articles they might extend it, was limited to the interval between the rising and the sitting of the Chambers, it could scarcely be of any practical use. Merchants could not safely speculate on the faith of an ordinance, which might have ceased to be operative before the arrival of their shipments. Such as the report was, the Chamber showed a strong disinclination to take up the subject or to proceed with the bill. After the report had been on the table of the House for more than a month, they agreed that no day should be fixed for taking it into consideration, and that the existing power of the Crown to modify the duties during the recess should be continued. Two months afterwards, when there was no longer any hope of the bill being discussed, a motion was made to add to the budget of receipts an article extending very considerably the power thus given to the government; but the

proposition, though supported by all the ministers and by many of their friends, was rejected by a large majority. The limited power thus conferred was exercised during the recess by a royal decree, the most important clauses of which regarded iron and coal. The duty on cast-iron was reduced one franc in nine per cwt., and the duty on iron in bars, five francs in twenty-five per cwt. The reduction on coal was so managed as to excite great discontent. In all the northern ports, from the Belgian frontier round to the Isle of Oleron, the import-duty was kept up at the almost prohibitory rate of 10*d.* per cwt., while, if the coal was imported at any more southern port, from the Isle of Oleron to the Bidassoa, or in the Mediterranean, the duty was reduced to 3*d.* Coal carried up the Gironde to Bordeaux would pay the lower duty, while, if carried up the Loire to Nantes, it would pay the higher. The northern provinces protested loudly against this partial arrangement, which they maintained to be the result of mere political partialities. At Nantes a public meeting was held, and a committee of twelve of the principal inhabitants was named, to take measures for removing the injustice and inequality of a decree, which forced the north into a competition on unfair terms with the manufacturing districts of the south.

A bill was passed during the session to fix and regulate the responsibility of the servants of the Crown for their official conduct. It declared that no acts emanating from the king, in his royal capacity, could be carried into execution except under the responsibility of a minister, and that whoever should put such an act in execution, when

not countersigned by a minister, should be personally responsible. Each minister was made personally responsible for the acts countersigned by him, and all of them were made collectively responsible for the general measures of government in which they might have taken part. An accusation of a minister was to proceed only from the Chamber of Deputies.

During this session, too, the French Chambers heard the words "Parliamentary Reform." Compared with the wealth and population of the kingdom, the electoral body of France was extremely confined in numbers. Previous to the revolution of 1830, the elective franchise was confined to individuals paying an annual amount of contributions of not less than 300 francs (12*l.*). This qualification, applied to a population of more than 32 millions, yielded a number of electors which never fell below 80,000, and never exceeded 100,000. In modifying the charter after the dethronement of Charles X, the qualification was reduced to 200 francs, or 8*l.* In consequence of this reduction the number of electors rose to about 280,000. Even this number does not seem to be an adequate electoral body for such a population, in a wealthy and flourishing country; but it had now been reduced to not more than 180,000 by the operation of the law of inheritance — a cause of diminution which was constantly at work. By that law, which renders compulsory the equal partition of a man's landed estate among his children, the subdivision of property was incessantly going on. The land-tax averages $7\frac{1}{2}$ per cent. An estate of 4,000 francs

a-year, gave a qualification; for the land-tax amounted to, not 200 francs, but 300. On the death of the proprietor, however, unless he left only one child, the qualification was at an end; for when divided even among two, each of them paid only 150 francs. Some idea may be formed of the effect of this process when it is considered, that no fewer than 10,200,000 distinct properties in land were said to be registered as paying land-tax. Of these about 100,000 paid from 300 francs to 5,000, the number of the latter class being under 1,000. The reduction of the number of electors thus produced had affected, it was alleged, the independence of the Chamber. With only 180,000 electors for a population of $32\frac{1}{2}$ millions, the electoral colleges had begun to acquire the character of select and close bodies, extremely susceptible of private, and still more of government influence. The existing Chamber, elected in 1834, contained 200 members, who were government functionaries, two-thirds of them being removeable at pleasure; while the remaining third served, not, indeed, under the fear of dismissal, but under the hope of promotion.

In a country where republican ideas still announced themselves to the disturbance of the government, this restriction of the franchise could not remain unchallenged, even if it had not been a state of matters sufficient to justify a desire of amendment in moderate and rational-minded men. In the present session numerous petitions were presented praying for reform; but unfortunately they seemed to speak the sentiments of a party whose views went farther than a fair and efficient representation. They prayed for the abolition of

the oath of fidelity to the constitution, which every member was required to swear before taking his seat. Some of them prayed for direct election, and universal suffrage; others for indirect election, but universal suffrage in the primary electors; others for the abolition of the money qualification required of members; and others for the payment of wages to the deputies. The committee, to whom the petitions had been referred, unanimously proposed to the Chamber to put them aside by passing to the order of the day, on the ground that France possessed too many elements of discord to allow of the electoral system being modified without danger. It would be too much to say that the electoral circle might not be enlarged at some future time; but there were certain ameliorations which ought to be the result only of mature experience, and of the increased intelligence of the people, and which ought to be attempted only in a time of tranquillity, when the stability of the government and the strength of the institutions of the country had been confirmed. Several members differed from the opinion of the Committee, and asked, Can it be that, with the sovereignty of the people for our symbol, we should confine the electoral franchise to 180,000 electors, that is to say, to a handful of privileged persons? Is it thus, four years and a-half after a revolution which declared the people to be the only sovereign, that the principle of popular sovereignty is put in practice? The example of England is quoted with reason, where with 20,000,000 of inhabitants there are 1,000,000 of electors; but without going beyond our own territory for the means of

solution, were there not already 6,000,000 of electors in 1789? And now, after 50 years' struggle, when the population of the country has been increased by a fourth, the 6,000,000 of 1789 are reduced to 180,000. Is that just, is it rational? The order of the day was carried by a large majority.

If there was any deficiency of interest in the proceedings of the legislature during the early part of the present year, it was amply compensated by the judicial proceedings of the Chamber of Peers. It was not unnatural that there should be in France a great deal of republican spirit, and no small portion of republican agitation. Lafayette had described the government, created by the revolution of 1830, to be a throne surrounded by republican institutions — an epigrammatic phrase which lost all its meaning when its words were once defined. There was an active and turbulent party, who thought that the throne overshadowed and was killing the republican institutions, and who saw very well that the latter would thrive without the former. Our records, from 1830 downwards, shew how frequently this republican party alarmed the government, and disturbed public order. The government, supported by the great mass of public opinion, had always been able to defeat it; but, to such men, every act by which the government put down their insurrections and guarded against their recurrence, became a new exertion of tyranny and an additional incentive to revolt. In 1834, the streets of Lyons had been for several days the scene of civil war. The insurrection was almost immediately followed by disturbances in Paris, which were suppressed by military force, before

they had reached the same height. The government discovered, or alleged it had discovered, that these events were merely the outbursts of a wide-spread and well-organised conspiracy against the throne, the ramifications of which were to be found in different parts of the kingdom, here shewing itself in open rebellion, and there working towards the same end, by means of republican societies and seditious publications. It resolved, therefore, to attack the whole system, by bringing to trial every person whose republicanism seemed to have brought him within the verge of the law. An immense number of arrests took place in Paris and in the provincial towns—not merely in Lyons, where there had been positive warfare against the king's troops, but in Chalons, Arbois, Besançon, Marseilles, Luneville, Epinal, and other places, where disaffection had gone no farther than forming dangerous societies or writing seditious articles in political journals. The jealousy of the executive was particularly directed against the Parisian Society of the Rights of Man—an association which had publicly avowed that it was instituted for the purpose of establishing a republic, and which was now said to be the centre from which proceeded all public commotions. The indictment, or act of accusation against the prisoners, stated, that “in April, 1834, attempts at disturbance were made in various parts of France; their simultaneous occurrence, and the whole series of acts which led to them, announced a vast conspiracy. A long-continued inquiry has proved the existence of this conspiracy, and revealed all its ramifications: our political institutions and the whole

system of our social order have been threatened. The sources of this anarchical enterprise were to be found in various associations. There was one of a more important character than the other, and with which the latter became identified. This was the Society of the Rights of Man and of the Citizen, a name resuscitated from the club of the Cordeliers; the same title was fitting, where the designs were the same. The troubles which arose in 1832, and, in particular, the violent disturbance of the month of June, did not bear a distinct character of premeditation; they were rather the explosion of a revolutionary fever, under which certain minds were suffering. The disturbance was quelled, but the actors were not discouraged: the disaffected felt that they wanted a centre round which all might rally; thence the idea of an association, all the members of which should be animated with the same spirit, and yield to the same impulse; such was the origin of the Society of the Rights of Man. Though weak in the commencement, and directed by some obscure individuals, it soon extended itself. Its principles inflamed the most anarchical of passions—ambition and cupidity. Its members were re-united from the remains of the clubs which had sprung into being during the revolution of July, and which would have dishonoured that revolution, had not the indignant citizens closed them with their own hands. The system of association made in a short time an immense progress, and its ramifications extended to the principal towns of France. The members were, at one and the same time, avowed enemies, marching boldly to destroy the govern-

ment, and obscure conspirators contriving in secret those acts which were to realise their designs. Such is the double character of the Society of the Rights of Man: in public, an avowed propaganda preaching insurrection; in private, employed in all the dark manœuvrings of a conspiracy. The object was avowed; the means of execution were prepared in obscurity—an able manœuvre, by which some weak men were deceived. From a simple association they became a dangerous club, and from a dark conspiracy the transition was easy to an open insurrection. —The organisation of the society is altogether military, and powerful by its unity. In a few hours it could be assembled and put in motion. An order emanating from the committee was transmitted from thence to the twelve commissaries of arrondissements, and by each of them to the commissaries of quarters; by the commissaries of quarters to the chiefs of various sections comprised in their respective districts; by the chiefs of sections to their three *quinturons*, and by each *quinturion* to his few associates who with him made up the *quinturie*."

Having resolved to prosecute, the government made sure of success, so far as possible, by avoiding juries who had shown themselves capable, on some occasions, of being influenced by other considerations than the evidence. These state trials are precisely the occasions on which trial by jury is most valuable, as a bulwark between the power of government and the subject; but the constitution of France, purified and renovated by "the three glorious days," gave the king the power, without any violation of law, of withdrawing the ac-

cused from a jury, and trying them before the Chamber of Peers as a court of justice;—for the charter, as revised after the revolution of 1830, expressly bore, that "the Chamber of Peers takes cognizance of high treason, and of attempts against the security of the state." In the end of the preceding year, accordingly, the peers, in that capacity, had been occupied in examining into the cases of about 1,000 prisoners, to ascertain against whom proceedings should be adopted. By far the greater number of them had been discharged; and when the peers finished their preliminary investigations in the beginning of the present year, the result was, that it was resolved to bring to trial about 164 prisoners, charged either with having been concerned in the actual insurrections of Paris and Lyons, or with being members of the Society of the Rights of Man, or with having been participant, in some other way, in the plots of republicanism.

The policy or impolicy of proceeding with these trials formed what was called, in the discussions of the Chambers, the question of the amnesty. Public opinion appeared to be hostile to the proceedings of the government. The government, it was said, had proved that it was more than a match for these hot-headed democrats, who did not number among their adherents any influential class of the community. Having put them down by the bayonet and grape-shot, it would be worthy the power and dignity of the state to throw a veil over the past, satisfied with the energy which it had evinced, and the triumphs which it had already obtained. To go farther would give the proceedings

the air of being a gratification of vengeance, rather than the satisfaction of justice. Where the number of alleged criminals was so great, whether to punish or to pardon was always a question of expediency. At all events, there was neither expediency nor justice in not leaving the accused to the ordinary tribunals. To bring them before an exceptional tribunal like the Chamber of Peers, would attract to them the eyes of all France, as persons whom the regular course of justice could never have touched, and who were crushed only by bringing them before a court, which the very nature of their offence rendered their political enemy, and which, by its constitution, could not possibly be impartial between them and their prosecutor. Considerations like these were daily put forth, not merely by those who were engaged in systematic opposition to the government, but likewise by men who did not wish to treat the question as one of party. The government was warned that, from the very number of the accused, and the nature of the charge and evidence, they would find the proceedings impracticable; and the intended trial was already designated as the *procès monstre*. They were told to expect general dissatisfaction, and, most probably, actual insurrection, and that they must not flatter themselves that the national guard would submit to become the instruments of a persecuting and unconstitutional policy. The ministers themselves would willingly have avoided the difficulties which they saw before them; but the king was the master of his cabinet, and was determined to strike. Louis Philippe knew his people; he saw no reason to apprehend that

the great body of society would join the republicans against him; and, having once resolved to punish, he would not have acted wisely in risking his prosecution before a court where defeat was by no means improbable, when the charter itself had placed in his hands a tribunal before which it would be difficult for him not to be successful.

The first result of the determination to proceed with the trials was a quarrel between the government and the bar. The prisoners had insisted on choosing their own council, not from among the members of any bar, but from among unprofessional persons, who they thought would go farthest in their own way of thinking. Some of them named editors of liberal or republican newspapers; others of them named members of the Chamber of Deputies remarkable for their democratic hatred of the government; and others of them some private friend or acquaintance. In short, they insisted on choosing their counsel from the whole population of France. The peers limited them to members of the bar, with the exception of the fathers or brothers of individual prisoners; and baron Pasquier, the president of the Chamber, assigned a number of counsel from the bar of Paris to conduct the defence, where the accused might not have provided himself with a professional adviser of his own selection. The outcry which was raised against this proceeding, especially out of France, seems to have been unfounded. In England, if a man were on his trial for a political offence, no radical member of parliament, nor any president of a political union, not a barrister, would be allowed to appear for

him. Though the counsel assigned by the peers were taken, for the sake of convenience, from the Parisian bar, all the bars of France were open to the prisoners; and a prisoner, who is not satisfied with such a choice, must have something else in view than the fair legitimate purposes of a defence. The object of the accused was to bring forward men, who, being themselves excited partisans, unencumbered by any restraints of professional decorum, and free from any sense of professional responsibility, would make the defence consist in repeating the offence, and insulting the law and the court. They unanimously signed a declaration refusing the assistance of the counsel assigned *ex officio* by the president of the Chamber, and declaring that they had nothing to accept from their enemies. The gentlemen of the bar naturally felt disinclined to intermeddle in the affairs of clients who would have nothing to do with them; and the Parisian counsel unanimously adopted a resolution not to act as official counsel, and to decline complying with any requisition of the Chamber of Peers calling upon them to do so. If the counsel were wrong in this, the Chamber, as a court of justice, must have possessed the power of compelling barristers, who were bound to practise before it, to discharge their duty; but, instead of the Chamber interfering, recourse was had to a royal ordinance. By that ordinance, a faculty was conferred on all regularly admitted barristers to undertake the defence of any of the prisoners; but it was provided that those, who had the privilege of pleading at the Cour Royale of Paris, should alone be liable to be called upon by the

Court of Peers to act in cases for which no counsel had been retained on behalf of the prisoners, and that the Court of Peers should have the power of compelling barristers, so called upon, to act, and to apply such penalties for disobedience as the regular courts of law possess the power of inflicting under similar circumstances. The bar considered this proceeding as irregular, and determined not to obey it. The Council of Discipline of the Parisian bar, of which M. Philip Dupin was the *Batonnier* or president, passed resolutions, that the ordinance was illegal—that it could not compel advocates to plead before an exceptional tribunal, whose jurisdiction and forms of proceeding were not defined by law—and that this opinion should be communicated to the advocates who had been appointed *ex officio*, not as an injunction, but merely as an opinion, which they were at liberty to act upon, or not, as they might think fit. Finally, it was declared that the Court of Peers could not compel the advocates to come before it; that those, who had been appointed *ex officio*, were not called upon to allege any reasons or excuses for their non-attendance, but that it would be sufficient for them to signify simply to the Court their refusal to accept the charge imposed upon them. The procureur-general brought these resolutions of the Council of Discipline before the Cour Royale, which annulled them, as being beyond the powers of that body. An appeal to the Court of Cassation was still open to the bar, and with every prospect of success; M. Dupin, the president of the Lower Chamber, being the procureur-general of that court. The matter, however, was pushed no farther,

the advocates having been given to understand, that they would not be forced upon unwilling clients, and that a simple letter from any of the counsel appointed *ex officio* to the president of the chamber would be sufficient to obtain an excuse from pleading.

The trials began on the 5th of May. A large military force had been silently collecting during the preceding two months, within a day's march of Paris; and the metropolitan national guard was required to be in readiness to act whenever wanted, and to supply daily a sufficient force to do duty in and about the chamber of Peers. There was no attempt at popular commotion; but the chamber found some insubordination among its own members, several of whom refused to take part in its judicial proceedings. The court could not be constituted without one third of the whole number of Peers, and, as justice required, a peer absent from any one sitting, was excluded from subsequently acting; for a judge must hear all the evidence, and be present at all the proceedings. Thirty-seven peers, among whom were marshal Gerard, Soult, Talleyrand, Pontecoulant, and the marquess of Deux-Breze, declined to attend. The last of these noble peers, probably more devoted to legitimacy and the dethroned family than any other man in the chamber, stated in his letter to the president, that he regarded the trials as odious and impolitic, because the accused were not a whit more criminal than those who had taken part in the revolution of 1830. A question was raised whether those of the ministers, who were members of the chamber, could sit as judges, since they were in reality the prosecutors. A large

VOL. LXXVII.

majority decided the question in the affirmative; but the ministers, satisfied with having asserted their right, did not exercise it.

On the 5th of May, the host of prisoners were put to the bar. First came the republicans of Lyons, fifty-eight in number, many of them adorned with long beards. One of them was so dressed, shaved, and combed, as to present a model of Robespierre, when that was the name of the personification of republicanism. The Parisian reformers were adorned with flowing red ribbons and tri-coloured cockades. The total number amounted to about 140—including all sorts of men, half-pay officers, non-commissioned officers, weavers, and newspaper editors. The plan and spirit of the defence was immediately manifested. On their names being called over by the president, some of them answered; but the majority declared that they would not answer a question, until they had been allowed counsel of their own selection, whether they were members of the bar or not. The Chamber having deliberated on this demand, decided that it was inadmissible, and that the president had already secured to the accused, if they chose to avail themselves of it, every advantage in regard to counsel, which justice required, or the law allowed. On the following day, however, the demand was renewed with infinitely more violence. The whole mass of prisoners spoke, or rather screamed, at once, jumping up on the benches to give greater energy to their menacing tones and violent gestures. They were informed that their demand had already been rejected, and could not be again entertained, and that any further disturbance would be

[2 D]

visited with summary punishment. The uproar was renewed, and the court adjourned after adopting a resolution that, if the disorders were continued, the necessary measures would be taken to ensure the tranquillity of the proceedings and the free course of justice. But this did not suffice. On the 7th, when the indictment was about to be read, a professional counsel retained by one of the prisoners, raised the objection, of which the peers had previously disposed among themselves, viz., that the ministers could not sit as judges. He founded his objection on the article of the code of criminal procedure, which declares, that judges or magistrates, who have taken part in the preliminary proceedings, or in framing the indictment, shall not be competent to join in the judgment; and he argued, that as the president of the court, in virtue of an article of the criminal code, had decided that the prisoners could choose as counsel only members of the bar, the court should conform to that other article of the same code to which he now appealed. The prisoners disavowed the learned gentleman, and protested that their cases were not to be affected by his argument. The court, however, gave a regular judgment upon the objection, and repelled it, on the ground that the article of the criminal code, upon which it was founded, did not apply to the organization of the Chamber of Peers. The indictment was then begun to be read; the prisoners objected, that it could not be read in absence of their counsel, and again insisted on being allowed to choose their own defenders. Being again informed that this point had been already decided, they cried out with one

voice that they would take no further part in the proceedings. The indictment was again begun, but before the clerk had got through a few lines, a prisoner named Beaune, who in the mean time had been writing a protest, started up, and began reading in a stentorian and determined tone of voice his protest from a written paper. The president ordered him to be kept silent, but in spite of the utmost efforts of the municipal guards, who pulled him down on his seat, and sought to prevent his speaking, he continued to read, interrupted from time to time by the vociferations of his fellow-prisoners, declaring their concurrence in what he said. Whilst the prisoner continued, in spite of every difficulty, to read his protest, the procureur-general, who had hastily written down a requisition against him for contempt of court, endeavoured, though not a word could be heard, from the more powerful voice of Beaune and the cries of the other prisoners, to read this requisition, in order that the court might retire and decide upon it. The struggle of speech was carried on so long and with such an apparent spirit of rivalry and desire of triumph on both sides, that the scene became ludicrous, and would, in all probability, have been followed by irresistible laughter, but that the peers quitted their seats and retired into their own chamber to hear and decide upon the requisition of the procureur-general.

The conclusions of this requisition amounted to a prayer that the trial should proceed in absence of such prisoners as persisted in disturbing or interrupting the court. "The procureur-general requires that it may please the court, exercising the extent of discretion-

any power indispensable for the direction of the proceedings, to authorize the president to expel from the audience, and to reconduct into prison, every accused individual who may disturb the order of the proceedings; the registrar being charged to take note of the proceedings, and at the termination of the audience, to render an account of them to the accused individuals expelled, in order that the affair may be thus continued in its *ensemble*, both with respect to the accused parties present, and with respect to those whom their acts of violence may have caused to be expelled from the court." Several peers strenuously resisted this proposal, as being contrary to all principle and precedent; and the discussion was adjourned till the following day, when it was adopted to a great extent by the following resolution: "The court has resolved that, if the aforesaid disorders should be repeated, the president is authorized to order the expulsion from the court of such prisoners as by their violence shall disturb the proceedings, and that the said prisoners shall be brought back into court separately or together, in order to be present at the examination of the witnesses for or against them, and to be heard in their own defence; and whereas the present resolution and the act of accusation have been made personally known to the prisoners, the court orders that the documents shall be read, even in the absence of such of the prisoners as the president may find it necessary to have expelled from the court for their violence, in order that the trial may be proceeded with, until judgment shall be pronounced."

After the resolution had been

read, the president ordered the registrar of the court to read the indictment. On hearing this order the prisoners rose precipitately from their seats, and, with loud vociferations and waving their hats and caps over their heads, declared that they would not listen to it; that as they were not allowed counsel of their choice, they were determined not to submit to or take any part in the proceedings. After some moments of a scene of tumult, confusion, and uproar, similar to those acted on the preceding days, the commanding officer of the municipal guard received orders from the president to remove the prisoners. After a short interval, a small detachment of them was brought back, and the clerk again began his often-interrupted labour, but was immediately stopped by Lagrange, one of the prisoners, who had particularly signalized himself in the former tumultuous scenes. He repeated his protest against the proceedings, and was acting with increased violence, when the procureur-general invoked the application of the decision of the court which had been just read against him. The president in consequence ordered him to be removed, and he was seized by four or five municipal guards, and dragged out, loudly vociferating all the while against the injustice of the proceedings. In this way the reading of the act of accusation was at length affected, every noisy prisoner being saved the tedium of listening to it, by being sent back to his prison, till at last the reading of the indictment proceeded in the presence of only twenty-three of the accused.

This stage of the proceedings having been finished, a counsel, retained for four of the accused, [2 D 2]

raised a plea to the competence of the court. As only the twenty-three quiet prisoners were present, and as all the prisoners were equally interested in the plea, the procureur-general wished that they should all be present, or at least should be allowed an opportunity of being present if they chose. The argument was therefore delayed till the following day, when the court was informed that its officers had been sent to the various prisons to summon the prisoners who had hitherto refused to *plead*, to appear in court to-day, but that all, with the exception of one, had refused to obey, and declared that they should not appear again before the court, unless forced to do so at the point of the bayonet. The objection to the competency was then heard, and it was one in favour of which the leaders of the Parisian bar were said to have given strong opinions, although, on questions like this, the opinions even of the Dupins, and of Odillon Barrot could not fail to be biassed by their political creed and party predilections. The very counsel who argued the point dealt in politics as much as in law. The plea was founded on the concluding words of the 28th article of the charter, "the Chamber of Peers takes cognizance of high treason, and of attempts against the security of the state, which are to be defined by law." These words, it was argued, made the existence of the jurisdiction dependent on the definition of the offences which were to fall under its cognizance, and as no law had yet defined what offences were to be triable by the peers, no jurisdiction in the peers had yet been created. The charter gave no more than a jurisdiction in certain cases and certain crimes,

which crimes and cases were to be particularized by a subsequent law. The right given to the Chamber was only a conditional right; that condition had never been fulfilled; the right, therefore, was in abeyance, till the contemplated law should have been passed. To this the procureur-general answered, that when the charter spoke of a law being made to define the crimes which should be cognizable by the Chamber of Peers, it merely meant that a more restricted enumeration should be made; as, amongst those contained in the criminal code, there were several not of sufficient importance or gravity to be tried by the court of peers, and that consequently the only effect of the law promised by that article of the charter not being yet enacted, was to leave all manner of crimes and misdemeanours still cognizable by the court of peers. But to dissipate all doubts as to the competence of the court, it was only necessary to state that the law of the 10th of April, 1834, against illegal associations, expressly enacted in its article 4, that attempts against the safety of the state, committed by such associations, should be tried by the court of peers, conformably to article 28 of the charter. The court sustained its jurisdiction, and the judgment was declared to be binding on the prisoners who were absent by their own act, no less than on those who were present.

By the 20th of May, the Peers were at length ready to proceed with the evidence: but, in the mean time, they were involved in a grave contest for the maintenance of their dignity with other parties than the very accused. On the 11th of May, after the court had adopted the expedient of removing the turbulent prisoners, and pro-

ceeding in their absence, a letter appeared in two republican journals, the Tribune and the Reformer, addressed to the prisoners, applauding their resistance to the tyrannical acts of an illegal tribunal, and treating the Peers with reckless violence. To this letter were attached ninety-one names, all of them being individuals whom one or other of the persons on trial had wished to select as their counsel, and among them were two members of the Chamber of Deputies, M. de Cormenin and Audry de Puyraveau. Instead of proceeding against the responsible editors of the journals, the Chamber, on the motion of the duke of Montebello, ordered that all the ninety-one persons, whose names were attached to the letter, should appear at the bar of the Chamber to answer as for a breach of privilege. This resolution was communicated to the Chamber of Deputies, and the Minister of Justice made to the latter a formal demand for the sanction of the Chamber to proceed against the two Deputies. The matter was referred to a committee, who called the two members before them. M. Cormenin declared that he had neither signed the objectionable letter nor authorized his name to be affixed to it. M. de Puyraveau declined entering into any explanations, and delivered to the committee a protest against any right which might be assumed by the Chamber of Deputies to send him before the Court of Peers. The committee reported that the demand should be acceded to with regard to M. Audry de Puyraveau, but that there was no room to proceed against M. Cormenin. After a stormy debate, the motion to approve of the report was carried, but not by a large majority. M. de Puy-

raveau was then cited, along with the others whose names appeared on the letter, to attend the Chamber of Peers. He declined their authority, and wrote a letter to the President stating, "I declared to the committee of the Chamber of Deputies that I did not acknowledge the right of that Chamber to authorize the Chamber of Peers to proceed against me, nor do I acknowledge the right of the Chamber of Peers to take any such proceedings against me. I feel it to be my duty to renew to you this declaration in answer to the citation which I have just received. Whatever may have been the opinion of the majority of my colleagues, on a question which interests to such a high degree the independence of the powers of the state, and the dignity of the elective Chamber in particular, I am of opinion that I should be wanting in my duty to my constituents, and to my character as one of the deputies of the nation, if I did not protest, with all the authority I hold by this title, against the unconstitutional jurisdiction of the Chamber of Peers. I beg you therefore, Sir, to inform the Chamber that I will not appear as its bar, unless constrained by force." The subsequent proceedings were adopted against him in his absence.

In pursuing this inquiry, the Peers were acting in their character of a legislative body, in virtue of a law of 1822, which gave the Chambers the power of punishing offences committed against themselves. On this circumstance, the parties implicated in the letter in question, raised an objection to the jurisdiction of the Chamber. The offensive letter had attacked the Peers, not as a legis-

lative body, but as a Court of Justice; and it was argued, that the law did not give to the legislative Chamber of Peers the right or the power of punishing offences committed against individual Peers assembled and acting as a judicial tribunal. Many peers had refused to form part of this tribunal, and therefore they could not be touched by an attack which reached only its members; but, the injurious acts, of which the Chamber had authority to take cognizance, were acts directed against the whole body, as forming a branch of the legislature. The Chamber unanimously sustained its jurisdiction. On the examination of the accused parties, by far the greater number of them denied that they had either signed the letter, or authorized its publication; and it rather appeared that the editors of liberal newspapers took great liberties with the names of persons of their own way of thinking. The editor of the *Reformer* stated, that the letter reached the office of his journal without any signature. On its receipt, he had taken the signatures of the defenders, which were in type in the printing office, and had affixed them to the letter. As to the motives which had induced the conductors of the *Réformateur* to act in this manner, they were matters of conviction, and beyond the competency of the court. The Chamber satisfied itself with the punishment of nine of the accused parties. M. M. Michel and Trelat, who admitted they were the authors of the letter, and justified it by the liberty of the press, and the unconstitutional conduct of the peers, were sentenced, the former to a month's imprisonment, and a fine of 10,000 francs (400*l*)—the latter to a fine of the same amount

and imprisonment for three years. This long period of incarceration was inflicted on M. Trelat, apparently because he had been very violent, republican, and abusive in his defence, boasting of all that he had done, at different times, against the Peerage, and reproaching them with having been the assassins of Marshal Ney. Some of them, he said, would yet have a terrible account to settle with the nation. The patience of the people had been admired, but that patience was not yet exhausted. Before it was at an end the old edifice would have crumbled into dust—Royalty would be seen in all the wretchedness of decrepitude! Not even the scaffold could arrest the progress of society. He had made no defence, for he felt that his judges would not understand him. A great gulf intervened between the defenders of that democratic principle, which impregnated the very air breathed within those walls, and the peers, who might condemn but not judge the party whom they were unable to comprehend. The responsible editors of the two journals in which the letter had appeared, were fined in 1,000 francs each, and imprisoned for a month. Two other parties were imprisoned for a month, and condemned to pay fines, the one of 500 francs, and the other of 2,000, because, while they denied all connection with the letter, they loudly declared their approbation of every thing which it contained. Two others had imprisonment for the same period, and a fine of 200 francs, because they refused to give any explanation, and called on the Chamber to prove that they had either signed or authorized the letter; while the Chamber held that they must be deemed guilty unless

they proved that they did not sign or authorize it. Finally, M. de Puyraveau, the Deputy, who had disobeyed the citation, was fined in 200 francs, and ordered to be imprisoned for a month, the sentence not to be put into execution, till the Chambers should have been prorogued.

The editor of the Reformer, not satisfied with having the peers on his hands, involved himself at the same time with the Deputies, by a violent tirade against M. Folivet, a member of the Lower Chamber. M. Folivet complained of it as a breach of privilege, and the editor was ordered to the bar. After he had been heard, M. Odillon Barrot moved, that "the Chamber of Deputies, considering that the offence was offered personally to a Deputy, and not to the Chamber, declares that there is no room for proceeding against the *gerant* of the *Reformateur*, at the same time reserving to the insulted Deputy, and to the law-officers of the Crown all their rights." This resolution having been negatived, without a division, by a large majority, M. Odillon Barrot intimated that he would decline any further participation in the proceedings. In this determination he was followed by a number of other Deputies. Several ministerial members likewise declined taking any part in the proceedings, on the ground that they had been personally attacked in the accused journal. A large majority found the editor guilty of having insulted the Chamber; and he was condemned to be imprisoned for a month, and to pay a fine of 10,000 francs. A heavy fine was found to be a much more effective instrument against the press than the lengthened imprisonment of a *gerunt*. The number of

the Tribune that contained the letter, which was presented before the peers, was the last of that journal. It had been prosecuted upwards of 112 times, and its conductors announced that they could no longer bear up against the accumulated fines which had been imposed.

The evidence against the state prisoners before the Chamber of Peers began on the 26th of May. The cases which were first taken up were those of the individuals accused of having been connected with the insurrection at Lyons, in April, 1834; and the investigation of them occupied the court till towards the end of July. The evidence went to prove, in regard to the greater number of these persons, that they had been actively engaged on that occasion, resisting the troops, forming barricades, attacking barracks, rescuing prisoners; or that they had been leading members in the Society of Mutualists, or of the Rights of Man, in whose machinations the insurrection was supposed, but not proved, to have originated. The prisoners, again, alleged that the disturbances had been got up by the police, and that they themselves had been instigated and betrayed by agents of police; and when they did not deny their active participation in plots and riots, they boldly justified their conduct as being that of frank and undisguised republicans, and incessantly repeated their objections to the competency of the court, and their demands to be allowed to explain and defend their doctrines by advocates of their own choice. When brought individually into court to hear the witnesses against them examined, they refused in general to take any part in the proceedings, and demanded to be sent back to

prison. One of them, named Reverchon, not satisfied with protesting against all that was done, denounced Louis Philippe in plain terms as a tyrant. The Procureur-General immediately called on the court to punish this intemperance as an offence against the person of the King; and Reverchon, by a majority of 75 to 40, was condemned to be imprisoned for five years, with interdiction of all civil rights during that period, and to pay a fine of 5,000 francs or 200*l.*—a merciless sentence for words uttered in such circumstances, and where the speaker was under trial for a far more heinous offence.

The Crown having adduced what it thought sufficient evidence as to “this category of the prisoners, and being probably desirous to bring part at least of this cumbersome proceeding to a definite and effective termination, the procureur-general, on the 10th of July, moved the court to disjoin these Lyons cases from those of the prisoners of Paris and other places, and to dispose of them by a final judgment, before taking up the classes which still remained for trial. The motion appeared to be somewhat inconsistent with the act of accusation, which made it the gravamen of the charge against the prisoners that they had all been actors in one great conspiracy, and some of the accused strenuously objected to any separation of the cases. The professional advisers of others more rationally argued in favour of the disjunction, as it clearly was for the interests of their clients to remain unaffected by anything which might afterwards be proved regarding the almost contemporaneous disturbances in the capital, and the organization—the military organization, as the indictment charged it—of its seditious so-

cieties. The court granted the motion of the procureur-general, and nothing remained but the pleadings of counsel. The majority of the prisoners insisted more violently than ever on being heard by their un-professional defenders, and determined not to enter the court till their demand was conceded. They sent a letter to the president of the Chamber informing him of their resolution not to appear, unless dragged in by brute violence, and if they were so compelled to attend, then to interrupt the proceedings by protestations and vociferations till their strength should fail them. The court directed intimation to be made to the prisoners, that if they refused to attend, their trials would proceed in their absence; and ordered them to be cited every morning, and a *proces verbal* to be regularly drawn up on every occasion of their having been summoned and having refused to attend. One of these *procès verbaux* will show how well the prisoners kept their word. The officer of the court stated, that he proceeded to the chambers of the prisoners, and tried to induce them to obey the summons of the court; they obstinately refused. He commenced reading the decree above alluded to, but his voice was soon drowned by the united voices of the accused, who commenced singing “La Marseillaise.” The keeper of the prison, having sent for an additional force of municipal guards, repaired once more to the chambers of the different prisoners, and called on them to attend before the court: they again refused, and recommenced singing “La Marseillaise.” The municipal guards were then directed to conduct them by force. On entering the chamber of one of the prisoners (Reverchon),

they found him lying on the floor, without any covering, not even his shirt: on being desired to dress himself, he declared that nothing should induce him to stir voluntarily,—that they might take him in that state, if they liked, before the court of peers. The municipal guards wrapped him in a sheet, and carried him to the prisoners' common room. He then refused to dress as obstinately as before, and said, that if the noble peers wished to see him, they must see him as he then was. The rest of the prisoners at the Conciergerie (two excepted) were brought on their beds to the same room, but they expressed their determination not to attend at the court unless compelled by force. The municipal guards were, consequently, obliged to relinquish their task.

The Crown abandoned the case as to six of the fifty-eight who formed the category of Lyons, but demanded judgment against the remainder. The counsel of such of the prisoners as had procured or accepted of professional assistance were next heard. The pleadings having been finished on the 25th of July, the court adjourned for several days to deliberate on the evidence. Judgment was pronounced on the 17th of August. Nine of the prisoners were acquitted. Of the others, two were condemned to transportation, a punishment which, as France has no New South Wales, commonly amounts to imprisonment for life; two were condemned to imprisonment for twenty years, and the remainder to imprisonment for different periods of fifteen, ten, seven, five, and three years.

While the court thus disposed of the Lyons' prisoners, the category of Paris, containing the most active and dangerous spirits among the

republican machinators, had disposed of itself by walking out of prison. The individuals belonging to this class were confined, to the number of forty-four, in St. Pelagie. The rooms assigned to them looked into a spacious court, in which they were allowed to meet and take recreation from the morning till ten o'clock at night. As they were permitted to buy their own liquors, they had obtained from the gaoler the key of a cellar in this court, to lay in a stock of wine and beer, and from this key they had made a false one. This cellar, of which they had thus the command required only a subterranean opening to communicate with the garden of a house in the adjoining street. An opening of about thirty feet in length by three in diameter, was made by the prisoners in the wall of the cellar, and through the ground, and issued into the garden. This work being accomplished, their daily communications with their friends without enabled them to concert the means of passing through the garden without difficulty. The prisoners assembled every evening to read a newspaper, and afterwards sung patriotic songs, which they called their *evening prayers*; and this was the moment fixed upon for their escape. On Sunday night (12th July), soon after nine, all being in readiness, nothing remained to be done but to force the further extremity of the subterranean passage, which had been left covered, which was easily effected, and the prisoners walked out, with the exception of three who refused to depart. Thirteen were either immediately retaken, or stopped, on the alarm being given, before they had got out. The remaining twenty-eight effected their escape. The fugitives published a paper, in which they declared that

they had long had the means in their power of regaining their liberty, but that they would have preferred the opportunity which the trial would have afforded of disseminating their republican ideas, had not the peers, by their late decree, resolved to separate one class of prisoners from another, disposing of the cases of those from Lyons in the present session, and leaving the rest without trial for another year in prison. They had preferred, therefore, to spend the parliamentary recess in the country, or in a trip to Belgium; but they threatened to surrender in the following session, and compel the peers to try them. The opposition journals broadly asserted that the escape had been connived at by the police, as a convenient mode of getting rid of a very heavy section of an investigation which had already exhausted the patience of the government, the peers and the public. These were the inventions of party spirit; and events had now occurred which impressed all that was sound in the public mind of France with horror at the atrocities which might result from the fanaticism of political regenerators.

The usual preparations had been made in Paris for celebrating the great political festival annually observed in honour of the three days of July 1830. Classes of men, who had no wish for a republic, were of opinion that the government created by these three days had been far from fulfilling the promises, which were then made, or maintaining the principles which were then proclaimed; and to republicans it could not but be grating to witness splendid pageants arranged by government in memory of certain events, while they themselves were prosecuted

and punished for propagating opinions in which they held all the value of these events to have consisted. Amid the preparations for the festival, reports were rife that an attempt was to be made upon the life of the king. One report said, that he was to be waylaid on the road from Neuilly to Paris; another that the attempt was to be made at a particular spot in Paris, and the information communicated to the police distinctly made mention of an infernal machine as being one instrument of the intended assassination. In the middle of July a number of persons were apprehended, but nothing was ascertained to lead to a belief in the existence of actual danger. On the 28th of July, the second day of the festival, the king reviewed a large body of troops and national guards. As he was riding along the Boulevard du Temple, surrounded by the crowded citizens, and attended by his high civil and military servants, an explosion, like a discharge of musquetry, took place from the window of an adjoining house. The effect was terrific. Marshal Mortier, general de Verigny, an aide-de-camp of marshal Maison, a colonel, and several grenadiers of the national guard of Paris, besides mere lookers-on, among whom was a child, were shot dead upon the spot, some of them having received two and three bullets. A still greater number, military and civilians, of all ranks, were wounded; more than one of them was wounded mortally, while others had to suffer amputation. The number of persons killed and wounded was between 30 and 40, of whom 14 were killed. Yet the object of this indiscriminate slaughter failed; the king escaped unhurt; his horse was wounded.

The instant the explosion took

place, the police, guided by the smoke, rushed into the house from which it had proceeded. They seized the assassin in the act of letting himself down by a rope from a back window of the apartment. He was himself severely wounded by the bursting of some of the barrels of his machine, and his wounds had delayed his escape. The machine consisted of between twenty and thirty gun barrels arranged horizontally, side by side upon a frame, the back part of which could be raised or lowered, according to the angle required to reach the space in the street below which was to be swept. Each barrel was loaded with several bullets, and a heavy charge of powder. A train of gunpowder connected the touch-holes, and the explosion of one discharged them all. Five of the barrels had burst, and wounded the assassin severely in the head. The window, at a little distance from which the machine was placed, stood open, but the machine itself had been screened from observation by Persian blinds, which were not withdrawn till the moment of the explosion. It was conjectured that to the instant of time required to open the blinds, and which perhaps had not been taken into calculation, the king owed his escape; for the discharge took place immediately behind him, one of the bullets wounding his horse. The assassin turned out to be a Corsican, of the name of Fieschi, who had gone through many varieties of disreputable service: for, after having been a vagabond soldier, he had stood in the pillory for fraud and forgery—he had suffered two years imprisonment for theft—he had swindled his landlord—had been a distributor of radical newspapers—and

had ended in becoming a spy of the police in watching the proceedings of political societies, although his connexion with the police had terminated before he became a murderer. He made no attempt to deny his guilt; he acknowledged no motive except dislike of the king; he, at first, denied that any other person had been privy to his design. The inquiries of the police, however, discovered other three obscure persons who had been connected with him, and as he subsequently alleged, concerned in the plot, but no thread was found by which to connect it with any formidable conspiracy, or any political party.

All parties joined in expressing their abhorrence of so atrocious an attempt. The rejoicings of the revolutionary anniversary were suspended; the tri-coloured flag was veiled in crape; the victims of the massacre were buried with the honours of a public funeral, which the king and his family attended; and pensions were voted by the Chambers to those of the lower orders who had been wounded, and the relations of those who had been killed. The government then directed its attention to draw political strength from an event, than which none could have occurred better fitted, if it were well used, to induce public opinion to give the constituted authority additional protection against dangers of so appalling a kind. The investigation and trial of the crime was entrusted to the Chamber of Peers by an ordinance of the 29th of July. In the first moments of alarm, when it was thought, and not unnaturally, that the blow had come from confederates of the republicans who had been denouncing the king and setting the peers at defiance, the editors of several of the public

journals noted for their democratical propensities were apprehended; but it was found necessary to liberate them, as not a trace of any relation between them and Fieschi could be established, or was even suggested. One connexion, however, subsisted between the press and the crime. The press, it was said, indulged daily in lucubrations which tended to destroy all respect for established institutions, for the kingly office, or the royal person: it thus prepared the minds of men to hate all these things, and to have no horror at destroying them; and when offences of this kind were prosecuted, juries were subject to influences which disabled them, as the law at present stood, from giving due protection to the interests of the community. It would therefore be right to bring the press under a more severe and direct responsibility; and the alarm which the attempt on the life of the king had excited, and the odium thrown by that attempt on all opinions with which it might be thought to be even remotely connected, presented a favourable opportunity for strengthening the government where it was weakest, and where its demands for additional protection were always regarded with the greatest jealousy.

While the state trials were proceeding in the peers, the greater part of the Chamber of Deputies had quitted Paris for the provinces. They were immediately summoned back to their duties; and the prime minister himself, on the 4th of August, presented to the Chamber three different bills, conferring on the government, he said, such powers as were necessary to preserve the country from a return of the dangers which menaced her existence by attacking the king of

her choice. He remarked with great justice, that France, during the last five years, might be said to have enjoyed the utmost prosperity in a state of constant alarm, to have combatted in the midst of peace. Her course had been one of progress and of danger. She enjoyed within herself every means of prosperity, and yet her first care had been almost invariably devoted to her own safety. The members of that Chamber had been obliged to exert all their energies in support of order, and yet order had not been completely established. Parties, though vanquished, still existed in secret; each day disclosed the evil worked by them, and the disastrous traces of their passage. An inveterate hatred of social order, a determination to overthrow it at any sacrifice, a degree of exasperation produced by defeat and baffled hope, an insatiable thirst of vengeance, were still to be found in the ranks of a minority, which, though vanquished, was not submissive. A prompt and effectual remedy could alone prevent the prolongation of such a state of things. If the factious were permitted to attack the powers of society—to protest in the open face of day against the principle of the government—to make a public manifestation of their adhesion to a government which France had rejected;—the existence of society would be nothing more than a protracted revolutionary crisis, and the respect due to the laws, or the fear that might stand in lieu of that respect, would disappear. Such were the evils reserved for France, if not stifled in their birth. Some of these evils had been already called into being; for never had government been attacked in its principle, in its form, and in the

person of its sovereign, with more inveterate audacity, and hitherto with greater impunity, than the government of the charter of 1830.

The first of the three bills had for its object to modify the existing legislation in regard to the press, on the ground that it had been found altogether insufficient to repress the offences of the press; and the following nine articles, which formed the first chapter of the bill, assuredly amounted to a very slow modification, and fully came up to the frank declaration of the minister of justice, that the government was resolved that neither a Carlist press nor a republican press should exist. The 8th article was intended to prevent the fines inflicted on convicted newspapers from being paid by subscription:—

“ Art. 1. Every offence against the person of the king, whether by one of the means mentioned in article 1 of the law of the 17th of May, 1819, or any other mode of publication, is an attempt against the safety of the state. Whoever shall be found guilty of the same shall be punished with detention, and a fine varying from 10,000 francs to 50,000 francs. 2. Whoever shall by the same means have endeavoured to turn into ridicule the person and the authority of the king, shall be condemned to imprisonment for a term varying from six months to five years, and to a fine varying from 500 to 10,000 francs. The offender shall moreover be deprived of the whole or part of the rights mentioned in article 42* of the penal code, for

the entire duration of his penalty and for a term equal to that of the imprisonment to which he may have been condemned. 3. In discussing the acts of government, it is forbidden to introduce the name of the king, *either directly, indirectly, or by allusion*. The author of an offence herein shall be punished with imprisonment, for a term varying from one month to one year, and with a fine varying from 500 francs to 5,000 francs. 4. Any attack by one of the same means against the principle and the form of the king's government, as established by the constitutional charter of 1830, any direct or indirect provocation to change them, is an attempt against the safety of the state. Whoever shall be found guilty of it shall be punished with detention, and a fine varying from 10,000 francs to 50,000 francs. 5. Whoever shall have publicly manifested his adhesion to another form of government, *either by assuming the qualification of a republican, or by expressing a wish, hope, or threat*, for the destruction of the monarchical or constitutional order, shall be condemned to imprisonment for a term varying from six months to five years, and to a fine varying from 500 francs to 10,000 francs. 6. Whoever shall have publicly attributed the right to the throne of France, either to one of the members of the family condemned to perpetual exile by the law of the 10th of April, 1832, or to any other than Louis Philippe I. and his descendants—*whoever shall have expressed a wish, hope, or threat* for the restoration of the fallen government, shall be condemned to imprisonment for a

* The rights there mentioned are, the right of electing or being elected—the right of holding any public or administrative office—of serving as a jurymen—of giving evidence in courts of justice—of acting as a tutor or curator to minors,

with the exception of his own children by the advice and consent of the family.

term varying from six months to five years, and to a fine varying from 500 francs to 10,000 francs. 7. The dispositions of the laws at present in force against offences of the press, and not contrary to the present law, shall continue to be executed; nevertheless, in the event of two condemnations in the course of one year against the same individual, or the same journal, the penalties may be augmented to the double of the *maximum*, and, in the case of the periodical press, to four times the amount of the *maximum*. The penalties, which may be successively pronounced, shall not be confounded with each other, and shall be all undergone to their full extent. 8. It is forbidden to open and publicly announce subscriptions tending to annul judicial condemnations. The offender herein shall be punished correctionally with imprisonment for a term varying from one month to one year, and with a fine varying from 500 to 5,000 francs. 9. It is also forbidden, under the same penalties, to publish, either before or after the sentence the names of the jury who may have sat upon a case, or to give an account of their internal deliberations."

The bill further provided, that it should not be lawful to publish any drawing, engraving, or emblems of any description, without the previous authority of the minister of the interior in Paris, or of the prefects in the departments. The penalty for contravening this enactment was, confiscation of the work published, imprisonment for a period not less than a month nor more than a year, and a fine which might vary from 100 francs to 1,000. The same authority was declared to be necessary for the establishment of a theatre, or the perform-

ance of any particular theatrical piece, under the pain of a similar imprisonment, and a larger fine, the latter varying from 1,000 to 5,000 francs. Moreover, in the event of any infraction of the law by a theatre, or in the case of "disturbances or scandal," the licence of the theatre might be withdrawn altogether.

To prevent a journal from being continued, after conviction, under the name of a person who was already suffering punishment, it was enacted that each number of a journal should be signed by the *gerant*, or responsible editor, and that, in the event of this person being condemned for an offence of the press, the publication of the journal should cease, unless it appeared with the name of a new *gerant* who should have fulfilled all the conditions of the law. The *gerant* was bound, in all cases of judicial proceedings, to give up the authors of the inculpatéd articles, and, on every occasion, to publish, on being paid for the insertion, the information or corrections which government might address to him regarding facts stated in his journal. Here, too, the penalty was imprisonment for any period between a month and a year, and a fine varying from 500 francs to 5,000.

The second bill introduced certain alterations into the proceedings in trial by jury. By the existing law, a verdict of guilty could not be pronounced, unless two-thirds of the jury, eight out of twelve, concurred in it. The new bill provided that the verdict might be produced by an absolute majority, and, in order to protect the jurors against extraneous influence, it enacted that the jurors should vote by ballot. By the penal code, the punishment of deportation was defined to consist

in being transported and continuing for ever in some place fixed by government, beyond the continental territory of the empire. The new bill proposed to give a power of substituting imprisonment for deportation, and enacted that such imprisonment might take place in a house of detention not in the continental territory of the kingdom—a provision under which a Parisian editor might be punished with imprisonment in a French West-India island, or a French settlement on the coast of Africa. The third bill made some alterations in the proceedings of the courts of assize. It empowered the minister of justice to form as many of them as might be necessary for proceeding simultaneously against the accused parties. Taking the benefit of the recent experience of the Chamber of Peers, it provided, that if the accused parties refused to come into court, the trial should nevertheless proceed, and every thing done in their absence should be deemed and held to have been done in their presence, a *procès verbal* of the procedure being read to them after each sitting. The same enactments were extended to accused parties whom the tribunal might find it advisable to send out of court, in order to prevent their clamour or violent conduct from disturbing or interrupting the course of justice. A still more important alteration consisted in the provision that a party accused of any political offence might be sent at once to trial on the requisition of the Procureur-General, without the necessity of obtaining a decision of the *Chambre des Mises en Accusation*. It was likewise declared, that no appeal to the Court of Cassation, on any preliminary point, should be com-

petent, until the final decision of the cause.

The last of these bills was the first that passed, having been adopted by the Chamber on the 13th of August. The opposition resisted principally the enactments by which an accused party might be brought to trial at the instance of the procureur-general alone, and might be convicted and condemned when he was not present. Others again thought the provisions regarding the latter point reasonable, but objected to the power of filing *ex officio* informations, as it were, which was given to the law-officer of the Crown, a mere interested agent of the party which might be in power. The bill, however, passed as ministers had proposed it, by a majority of 212 to 72. Some of the speakers in favour of the measure declared openly in favour of courts-martial. A M. Madier de Montgau said, that he considered the institution of the jury as the noblest triumph of the revolution, but its firmness almost always vanished, when the guilty were protected by a powerful party. The firmness of the legislature, as well as the fidelity of the army, was required to combat the new principle of criminality introduced by the system of revolt, such as it had been organized at Lyons and in Paris. He was of opinion that it would be far better to see the jury sitting in the midst of the soldiery, than to allow the soldiery to be discouraged by the shameful weakness of the jury. In any other case than that of civil war, he would bow with respect to the jury; but if the Chamber wished to place the jury in opposition to the soldiers of a hostile and a menacing force, he would plainly say that the Chamber wished to

destroy the jury. The events of Paris and Lyons proved that the terror produced by fanaticism, survived every victory obtained over insurrection. The assassins of Ramel, and even Trestaillon himself, had been acquitted by a jury, and so had the promoters of the first insurrection in Lyons. Against such facts what arguments could be urged? Though, for his own part, he thought that, for the sake of the public tranquillity, the heads of the army might, in certain cases, be invested with judicial authority; yet, as a number of the citizens thought such powers at variance with the charter, ministers for the moment submitted to the objection, and he himself approved of the present bill, as calculated to produce real advantage; but he trusted that on some future occasion the Chamber would display more courage and firmness.

The bill for enabling juries to convict by a simple majority, and directing them to vote by ballot, encountered greater opposition. The committee to which it had been referred, and the members who spoke in support of it, defended it, as being necessary to overcome the facility with which the minority of the jury was seduced or intimidated, in political cases, to refuse a conviction in defiance of law and evidence. They dwelt on the enormous disproportion by which, during the preceding three years, acquittals had exceeded convictions, and ascribed it to the dread of vengeance and reaction, with which the minds of jurors were impressed. They thought it wrong, especially in political matters, that the minority should be allowed to dictate to the majority, and were of opinion that a majority of seven to five presented a sufficient and reasonable

guarantee both for the accused and for society. As a proof of the extraneous influences brought to bear upon juries, it was stated that, in ordinary criminal cases, the acquittals were only 37 in 100, but, in political cases, they had been more than 68 per cent. The opposition again maintained that this proved nothing more than the very credible fact, that, in political cases, where there were parties interested in having that punished as a crime which was none, unfounded accusations were more numerous than in ordinary cases where no party spirit or political interest interfered. Many of the cases tried before the court of assizes, ought to have been brought before a simple correctional court; and this excessive severity on the part of the Crown and the Chamber of Instruction, led to the acquittal of culprits, who, if they had been tried by the correctional police, would not have escaped with impunity. They appealed, likewise, to the example of England, where a minority of even one acquits—an example which was not likely to be a recommendation to a French legislature; while their opponents repeated the common remark, that the unanimity of an English jury means practically the yielding of the minority to the majority, and might have appealed to the example of Scotland, where a simple majority of 8 out of 15 convicts in criminal cases, although the jury that is to decide on pounds, shillings, and pence, must be unanimous.

The most striking feature in the discussion was a speech delivered by M. Arago the astronomer, in which that distinguished mathematician undertook to demonstrate that the superiority of a jury convicting by eight to four, over one

convicting by seven to five, was a matter of arithmetical calculation and certainty. His only postulatium was, that a jury may err. 'Thus', argued he, 'the judgment of man is but a probability, and probabilities are determined by numbers. If a verdict is resolved upon by ten men out of twelve, there is a greater probability that it will be a just verdict, than if it had been pronounced by seven in twelve. The degree of certainty of a judgment is in direct proportion to the number of judges who have delivered it. If the probability that a jury may be deceived were equal to the probability that it may not be deceived, then it would be useless to summon a jury; for it would be just as well to deposit two papers in an urn, with the words "guilty" and "not guilty" written upon them, and to draw out one of them. It would be a lottery. If the probability of being deceived was greater than the probability of not being deceived, it would be necessary in such a case to assume the reverse of the jury's declaration, and say yes when it says no, and no when it says yes. But if the probability of being deceived be neither greater nor equal to the probability of not being deceived, then it must be the smaller probability. The jury is less often deceived than not deceived; but it is an undoubted fact that it does deceive itself sometimes, and a calculation by probabilities will enable us to judge in what proportions. If you take the hypothesis that the verdict of a jury be decided by a majority of seven against five, as the bill before you proposes, you will find the result of your calculation to be a fearful one. The chances of error in such a case are in the pro-

portion of one to four. I cannot go through all the calculations before you, without appearing as if I were delivering a lecture to you; but I can assure you they were formed in the most conscientious manner on mathematical principles, and they are supported by the authority of Condorcet, Condillac, Laplace, and all who are versed in the science of calculating probabilities. But, in order to be just, we must admit that the jury's error may be as often in favour of the accused as against him; so that instead of the proportion of one to four, let us suppose that the probability of error to his prejudice, if the absolute majority be seven against five, is one to eight, or even one to ten. We shall then have it rigorously and mathematically demonstrated, that, among the men led to execution, there is one in ten who is innocent. According to the present system, by which the verdict of a jury may be formed by a majority of eight against four, the probability of error is in the proportion only of one to eight; and as the error may be as much in favour of the accused as against him, let us suppose the proportion to be one in sixteen. Well, then, at the present day we have one innocent man in sixteen who suffers. And you find this is not enough! Even with the English system of unanimity, error may occur, for the human mind is everywhere liable to error; but in that case the chances of error are infinitely smaller, for they are in the proportion of one in 8,000. Relying on the progress of human reason, I shall look with hope for the day when that unanimity will be imperatively required by the laws of my country. Our national pride would revolt

at the idea of our not being placed, when framing a treaty of commerce with another power, on the footing of the most favoured nations; and yet to us legislators, now about to contract anew with our own country, it is proposed that we should place it at a deplorable distance behind England! During our revolutionary horrors, Bailly, and Lavoisier were condemned, but not unanimously. Who does not wish that, in these cases, condemnation had been impossible without unanimity?" The bill was carried by a much smaller majority than the bill regulating the courts of assize, but still by a majority of 224 to 129. The mode in which the jury should ballot was left to be regulated by a royal ordinance.*

Still more strenuous was the opposition made to the bill for the regulation of the press. The ministers were accused of taking ad-

* This ordinance was promulgated in the beginning of September. It directed that, on the questions being successively put by the foreman, each juror was to receive a slip of paper, duly stamped, and bearing the words—"Upon my honour and conscience my declaration is —;" after which he was to write privately with his own hand, or by that of one of his colleagues, the word "Oui," or the word "Non." The table, on which the jurors wrote their votes, was to be so arranged, that none other but the writer could see what was written. The slip of paper or bulletin, when written and folded up, was to be handed to the foreman, and placed by him in a box or an urn prepared for the purpose. After each scrutiny the foreman was to examine the bulletins in presence of the jury, and immediately to write down the result on the margin, or at the end of the question to which an answer had been given. Blank bulletins were to be held as equivalent to answers in the negative. Immediately after this examination the bulletins were to be burnt in presence of the jury.

vantage of the popular alarm excited by the late attempt on the life of the king, to gratify their own love of power and trample under foot the liberties of the country. This was a law to destroy all inquiry—to crush all expression of opinion—to convert into a servile instrument of existing power that institution which France valued more than any other right, because it was the guarantee of all others. It was absurd to say that the press had led to Fieschi's attempt to assassinate the king: no journal had ever preached up murder. If it had, why had it been allowed to pass unpunished? Ministers themselves did not believe in the shallow pretext. They wished to control the press for their own purposes. Its only crime was, not that it endangered the institutions of the country, but that it refused to admire and to laud their policy. The Duke of Broglie himself took up the cause of his cabinet against these reproaches. He treated them as being merely the usual specimens of opposition eloquence, to which the ministers of a representative government were accustomed; and he should feel no surprise at shortly hearing that it was the ministers who had discharged the infernal machine. To such hacknied reproaches they were by this time accustomed: they looked upon such empty accusations as the common lot of all men in power; but the sound and reasoning portion of the community would estimate the unmeaning and common-place jargon at its intrinsic value. If by the assertion that the measures now proposed had long been concerted by ministers, with a design to overthrow the liberties of the country, it was meant that government had long

perceived the dangers with which society was threatened, and had devised measures to counteract them, he would plead guilty to the charge. But he would repel with all his energy the insinuation that ministers had presented these bills in order to strengthen their power, or to gratify a corrupt ambition. The charge would be well founded, if the dangers pointed out by government were imaginary, or if the measures proposed overshot their mark. The object of the law was to demand the suppression of all offences against the person of the king, to characterize such an offence as a crime, to visit that crime with repressive penalties, and to submit the judgment of it to the highest court in the kingdom—in other words, to place the king's authority under the safeguard of a permanent political body. Outrages had been heaped on the king's person, which had been sedulously encouraged by the anarchical journals of Paris and the departments, and had led to a belief that even regicide was lawful! The vanquished insurgents had openly said, that the press had taught them to know their rights; and they now audaciously demanded another field of battle, on which they were ready to array their fallacious dogmas against the principles of the government. The bill submitted to the Chamber was calculated to put an end to such a state of things; but, in his opinion, no measure less vigorous would suffice. Government had no intention of taking advantage of the bill, when passed into a law, to sit in judgment on the advocates of abstract social theories; but the rights of the reigning dynasty were not to be contested, and the charter must be preserved. If the legis-

lature withdrew its support from government, ministers would respect its decision, and would seek the retirement of private life with the consciousness of having discharged their duty, and sustained with honour the trials and the perils inseparable from power. He considered it imperative on him to make that declaration with honest frankness; for unless the bill now submitted to the Chamber were adopted, he felt that it would be impossible for the present ministry to carry on the government of the country.

The great blot on the proposed bill, in the eyes not merely of the more violent oppositionists, but of many of the more moderate members, consisted in the provisions which treated offences of the press as attempts against the safety of the state, and thus rendered them triable before the Chamber of Peers, instead of a jury. Both M. Royer Collard, and M. Dupin, the president, spoke strenuously against this provision, which seemed to them peculiarly unnecessary, when the Chamber, in passing the jury bill, had done all that ministers themselves had required as necessary to render the jury an efficient instrument for repressing the offences of public journals. M. Dupin argued that the bill was contrary to the charter, which, in providing that offences of the press should be tried by jury, had intended that they should not be tried by any other tribunal. M. Royer Collard called on ministers to point out any necessity for handing over to the Court of Peers causes which ought to be tried by the ordinary tribunals of the country, and which they were perfectly competent to decide. If there was one question more than another in which the com-

munity at large ought to participate, it was in those relative to the press, and therefore he could never consent that juries should be excluded from the examination of such cases. Any government that distrusted the ordinary justice of the country, showed a distrust of the country itself; and when it had recourse to any other justice, it was proceeding according to arbitrary rules, and exposing the country to the consequences. The Chamber of Peers had lately become the special court of riots, but it was now the intention to turn it into a special court for the offences of the press. From the experience he had had, and from an attentive consideration of the measure under consideration, he felt convinced that it was not fitted to the present state of society, and by no means capable of remedying the evils which were supposed to arise from the press.

The leaders of the regular opposition were naturally much less moderate in their animadversions. Ministers, they said, were transferring the jurisdiction over offences of the press to an exceptional tribunal as another step in their own system of terror. This tribunal would have its own political opinions; and was it just to drag political writers before the bar of political judges? Was it just that writers who attacked the ministry should be tried by the Chamber of Peers, the majority of whom were ministerialists? Ministers might as well frankly avow their design, that all their opponents without distinction should be condemned by the Chamber of Peers. Even supposing the best intentions to exist on the part of the members of the present cabinet, who could answer for their successors? One of the

consequences of the proposed law would be, that the expression of opinion would become a monopoly in the hands of five or six establishments, whose existence would depend on the will and pleasure of the Chamber of Peers. If the cognizance of proceedings against the press was wrested from the ordinary juries of the country, no editor would be safe, as he might be brought before the Court of Peers, for the slightest error, and condemned to a severe penalty. But, even if the bill should have a majority of votes in the Chamber sufficient to secure its adoption, France was powerful enough to prevent an infringement of its privileges. Laws like the present might afflict, but could not terrify, good men; France would yet possess ministers and legislators able and willing to restore to justice, reason, and morality, those indispensable prerogatives of which they were now about to be deprived.

Notwithstanding all these efforts, the provisions of the bill, which gave to the crown the power of prosecuting offences of the press before the Chamber of Peers, were carried by a considerable majority; and as these were deemed the most questionable of its clauses, there was no hope of its other enactments being mitigated. Among the most severe were those relating to the sum which every periodical publication was required to deposit as a security. Under the existing law that sum was 50,000 francs (2,000*l.*) One of the amendments proposed by the committee on the bill consisted in raising it to 200,000 francs, or 8,000*l.* It was ultimately fixed, at 100,000 francs, or 4,000*l.* for daily papers published in Paris, or in the departments contiguous to that of the Seine, with proportional

reductions in favour of journals published at more distant intervals, or in more distant provinces. A proposal to reduce the caution by one-half, when the journal was printed in a foreign language, on the ground that it was absurd to suppose that newspapers printed in English or German would be made the vehicles for disseminating sedition among the people of France, was rejected. Even an amendment, the object of which was to prevent the bill from operating *ex post facto* against newspapers which had been established under the existing law, was lost, but only by a majority of eight. The clauses requiring a previous licence to authorize the publication of engravings or emblems, or the performance of a theatrical composition, were finally adopted, after a great deal of keen and angry discussion. A large portion of the debate was occupied with the interests of the drama. The power of licensing theatres and dramatic pieces was conceded to the Minister of the Interior without much opposition; and a clause was voted, authorizing him in either case to suspend the licence provisionally when the public tranquillity required it: but although fines were imposed on any contravention of the ministerial regulations relating to the stage, and a declaration added, that those regulations were to be sanctioned by the legislature in the course of the session 1837, yet the provision that the licence should be absolutely lost in the event of a second contravention was ultimately negatived. On the 29th of August, the bill was passed by 226 votes against 153, leaving ministers a majority of 73. In the Peers it passed by a majority of 101 to 20, its most animated opponent having been the marquess of Dreux Brezé,

a declared adherent of the exiled family, whom the Chamber directed to be called to order for having denominated the anniversary of the revolution of 1830, as the anniversary of anarchy.

Whatever might have been the character of that revolution, such were the results to which it had led, or the facts, at least, in which it had terminated. The duke of Broglie was perfectly right when he said that, since July, 1830, France had been in a state of constant danger and alarm, compelled to be ever vigilant for the preservation of her internal tranquillity. No invasion had demanded the temporary suspension of civil rights in order to repel a foreign foe. No enemy had endangered her institutions, or menaced her territory. In profound peace, she had passed, in five years, from the triumphs of an armed revolt, which was celebrated as the purest emanation of the spirit of liberty, through an endless series of animosities and insurrections, into a state of comparative servitude. Her press was as completely subdued as it would have been by the ordinances of Charles X; the difference was, that the fetters had now been imposed by the representatives of the nation. It could not be otherwise. The physical power, and the republican principles, which had crowned the revolution of July with success, found that they were forced back into submission and subordination by the very government which they had created to perpetuate their influence and their triumphs. Although that government, in so repressing these democratic dominations, had deserved well of France and of Europe, it placed itself in opposition to the spirit to which it owed its existence. To that

spirit it became in its turn a Charles X; it was assailed with plots and conspiracies better organized than those which had overturned his throne; the privileges of a popular constitution were converted into arms against itself. France, under the protection of a representative government, was teeming with principles, disseminated by active and unscrupulous agents, which threatened destruction to every peaceful and stable form of society, and was startled year after year, by the image of civil war in a shape more or less formidable, till, as always happens, the good submitted to restraint, in order that the bad might cease to be dangerous.

The enactment of this new code of law was the closing work of the session. The Chambers were prorogued on the 11th of September; and at the same time appeared a royal ordinance creating thirty new peers, all of them, with hardly an exception or two, being persons who were, to a greater or a smaller extent, dependent upon the government. Nothing can be more utterly inconsistent with political freedom, than to subject the political press to the opinions of a particular political body; and of all political bodies, the French Chamber of Peers, as now constituted, presented the fewest securities for impartiality and independence. Nor were the new laws, or, as they were termed from the perpetrator of the deed which had produced them, *les lois Fieschi*, allowed to sleep; although the government first tried the sufficiency of the courts of law under the new modifications of the jury and of the forms of procedure. On the 21st of September the editor of the *Reformateur* was condemned to six months

imprisonment, and a fine of 1,000 francs for having said:—"The ministry are desirous of proving that they can do in 1835 what Charles X. attempted in 1830; and the Chamber of Peers has given them a patent for the talent of governing by lending its sanction to the "*lois Fieschi*." To say this, was a degree of freedom which could not be tolerated in France. A few days afterwards, two months imprisonment and a fine of 4,000 francs were inflicted on an article, which sought to prove that the army was not favourable to the administration, and might become very favourable to a republic. A third conviction on charges of provocation to disobey the laws, of exciting to hatred and contempt of the government, and of insulting public functionaries—was followed by a fine of 10,000 francs and a month's imprisonment.

The judicial functions of the peers do not terminate with the legislative session; and the Chamber, on the 16th of November, resumed the state trials, connected with the disturbances of 1834. The prisoners now brought forward were from St. Etienne, Epinal, Luneville, and other places, in which, with the exception of Etienne, in the neighbourhood of Lyons, there had been no insurrectionary movements, although it was charged that there were seditious societies, and conspiracies ready to break out, if the republicans had been more successful in Paris and Lyons. The principal accusation against the prisoners of Luneville was that of having been parties to an intended revolt of the garrison, instigated and guided by the Society of the Rights of Man. An alleged connexion with that society was the leading charge

against the accused from Epinal, Grenoble, and Marseilles. The most palpable crime among those attempted to be proved against the prisoners from St. Etienne, was the murder of a policeman during the insurrection. The peers were occupied till the end of the year in hearing evidence in all these different cases. The inquiry, too, regarding Fieschi and his accomplices, which had been remitted to the same high court, was going on at the same time. Count Portalis read to the Chamber a long report of the result of the precognition, which traced Fieschi from his birth down to the moment when he applied the match to the infernal machine on the Boulevard du Temple. The report implicated, besides Fieschi, two confederates named Pepin and Morey, and declared, in regard to others who had been apprehended, that there was no room for further proceedings.

The French occupation of Algiers continued to be a source of expence and embarrassment to the government, while the barren honour of its conquest yielded no counterbalancing advantage. It formed a large item in the war estimates. The committee on the budget had proposed a reduction of 2,522,000 francs, upwards, of 100,000*l*. The reduction was rejected by the Chamber, but the ministry pledged themselves to effect a diminution of the military expenditure so soon as it could be ventured on with safety, and declared that government had no intention to colonize Algiers, but only to establish there the power of France. The fact was, that France could not now abandon the settlement without the appearance of giving up a conquest, the most unpalatable of all ideas to a

Frenchman. Increased expenditure soon became necessary. One of the most powerful native chiefs in the neighbourhood was Abdel Kader, or Abd al Kader, the sovereign of the province of Mascara, lying along the foot of the Atlas. France had concluded with him a treaty of amity, by which his authority over certain tribes, intervening between his territories and the French settlement at Oran, was recognized and confirmed. Under this treaty, a French officer had been established as consul at the court of the Barbary prince, and an Arab chief had been received at the French head-quarters, in a similar capacity. In the middle of June, some chiefs of the tribes, who were acknowledged to be subjects of Abdel Kader, complained to the French general, that their sovereign wished to force them to remove further into the interior of the country, and had threatened to prevent them from trafficking with the French. It did not appear how far these complaints were well founded, or whether Abdel Kader had reason to doubt the fidelity of these tribes, or to suspect that his new allies were secretly instigating them to disobedience. However this might be, the French commander immediately sent to Abdel Kader, forbidding him to interfere with those tribes; threatening him with instant war, if he did not leave them at peace; and calling upon him to enter into a new treaty, by which he should recognize the sovereignty of France, and make himself her tributary. The African prince rejected the terms with disdain, complained loudly of this breach of faith, and imprisoned one of the chiefs who had sought the protection of a foreign power

against his own sovereign. The French troops, under general Trezel, forthwith marched towards Mascara. For some days he advanced without any serious obstruction; but, on the 26th of June, he came upon the enemy strongly posted in the defile of Mouley Ismael. He forced the passage, but with considerable loss, and after an obstinate resistance. In the course of the 27th, during the whole of which the French troops remained in the position which they had taken up after the conflict, Abdel Kader twice made proposals for putting an end to hostilities: but general Trezel insisted that he should accede to the proposals which had been made before the invasion, and should renounce all authority over the tribes on account of whom it had been undertaken. These terms were refused; and general Trezel, who had spent a day without advancing, commenced, on the 28th a retrograde movement, in the course of which he was attacked by the Arabs, thrown into disorder, and compelled to precipitate his retreat, with the loss of his waggons, train, and baggage, and 262 men killed, among whom were ten officers, and 303 wounded. General Trezel re-entered Oran on the 4th of July.—The Arabs advanced into the neighbourhood of Algiers and Oran, harassing the Europeans by frequent skirmishes, but carefully avoiding a general engagement.

When intelligence of this disaster reached France, it was resolved to make every exertion to repair its consequences. It not only wounded the honour of the nation, but could not fail to encourage disaffection among their native allies, and diminish their influence among the native tribes.

There were already nearly 30,000 men at Algiers; but a new expedition was fitted out during the autumn to convey to marshal Clausel a fresh reinforcement of 10,000 troops. The duke of Orleans himself, the heir apparent of the crown, passed into Africa, to gain the popularity of making a campaign to retrieve the military honour of the French name. The expedition having arrived at Algiers in the end of November, marshal Clausel, accompanied by the prince royal, marched towards Mascara at the head of between 12,000 and 15,000 men, and twenty-six pieces of artillery. Abdel Kader, too weak and too prudent to encounter this force in the field, endeavoured to take advantage of strong positions. The French army found him advantageously posted in an entrenched camp on the Sig. They attacked him, and a warm engagement ensued; but the Arabs were unable to resist the French artillery, and were forced to abandon their camp. Abdel Kader again awaited an attack in another position between the Sig and his capital, but with no better success. He retired into the fastnesses of the mountains, abandoning Mascara, which the French army entered without resistance on the 6th of December. They razed the city to the ground, deeming it untenable on account of its distance from Oran, and immediately began their march back to the coast, which they reached on the 12th. The Emir had been chastised in so far as the destruction of his capital was concerned; but the destruction of an African town does not dry up the resources of an Arab chief; and the hasty return of his foes to the sea-coast left him at liberty again to issue from the mountains. It even appeared that the

army did not accomplish its march from Mascara altogether without obstruction from parties of Arab cavalry.

In our last volume we detailed the nature and history of the claims made against France by the United States for losses sustained by American subjects under the Berlin and Milan decrees—the treaty between the two governments by which France recognized these claims to the extent of a million sterling, or twenty-five million francs, as a just debt, and engaged to make payment of that sum by six annual instalments—the rejection of the bill authorizing payments, by the Chamber of Deputies, in the session of 1834—and the consequent resignation of the duke of Broglie, who then held the foreign department. On the bill being lost, the French government gave the United States the most ample assurances that it would still make every exertion to carry the measure, and would again propose it to the Chamber, so soon as the legislature could be convoked. Trusting to these assurances, the president made no communication to Congress, in the hope that a bill, authorizing the execution of the treaty, would be passed before the next session of Congress, in December 1834. The French Chambers met on the 31st of July, 1834, after the general election; but they met only to hear the royal speech, and to vote an address, and were immediately prorogued till the 29th of December, without the subject of the American claims being presented for their consideration. The prorogation, moreover, was to a period which rendered it impossible for anything to be done, before the president would be required to address his annual message to Con-

gress; and that nothing prevented the French government from convoking the Chambers at an early period, when it was desirable to do so, was made manifest by the fact that they actually met for the present session, on the 1st. of December, instead of the 29th. The American executive regarded all this as being, if not a positive breach of faith, yet an unjustifiable disappointment of reasonable expectations which it had been led to entertain. It was with the French executive, not with the French legislature, that America had to do; and the latter complained that the French executive had not done all that it could have done, and which it had engaged to do, to effect a speedy fulfilment of its engagements. The president accordingly brought the subject before Congress in his message of December, 1834. After explaining the delays which had intervened from the ratification of the treaty in February, 1832, till the rejection of the bill of 1834, he stated, that “with the news of the refusal of the Chambers to make the appropriation, were conveyed the regrets of the king, and a declaration that a national vessel should be forthwith sent out, with instructions to the French minister to give the most ample explanations of the past, and the strongest assurances of the future. After a long passage, the promised dispatch vessel arrived. The pledges given by the French minister, upon receipt of his instructions, were, that, as soon after the election of the new members as the new charter would permit, the legislative Chambers of France should be called together, and the proposition for an appropriation laid before them; that all the constitutional powers of the king and his cabinet

should be exerted to accomplish the object; and that the result should be made known early enough to be communicated to Congress at the commencement of the present session." These pledges had not been redeemed; farther negotiation, and acquiescence in the refusal to execute the treaty, were equally out of the question. America might retaliate by imposing heavy duties on the manufactures and productions of France: but the president did not recommend this mode of warfare, both because it might raise questions about the tariff, and because it could not be executed without in some degree embarrassing the trade of the United States themselves. He suggested a different remedy. "It is my conviction that the United States ought to insist on a prompt execution of the treaty, and in case it be refused or longer delayed, to take redress into their own hands. After the delay on the part of France of a quarter of a century in acknowledging these claims by treaty, it is not to be tolerated that another quarter of a century is to be wasted in negotiating about the payment. The laws of nations provide a remedy for such occasions. It is a well settled principle of the international code, that where one nation owes another a liquidated debt, which it refuses or neglects to pay, the aggrieved party may seize on the property belonging to the other, its citizens or subjects, sufficiently to pay the debt, without giving just cause of war. This remedy has been repeatedly resorted to, and recently by France herself, towards Portugal, under circumstances less unquestionable. The time at which resort should be had to this or any other mode

of redress, is a point to be decided by Congress. If an appropriation shall not be made by the French Chambers at their next session, it may justly be concluded that the government of France has finally determined to disregard its own solemn undertaking, and refuse to pay an acknowledged debt. In that event, every day's delay on our part will be a stain on our national honour, as well as a denial of justice to our injured citizens. Prompt measures, when the refusal of France shall be complete, will not only be most honourable and just, but will have the best effect upon our national character. Since France, in violation of the pledges given through her minister here, has delayed her final action so long that her decision will not probably be known in time to be communicated to this Congress, I recommend that a law be passed, authorising reprisals upon French property, in case provisions shall not be made for the payment of the debt, at the approaching session of the French Chambers. Such a measure ought not to be considered by France as a menace. Her pride and power are too well known to expect any thing from her fears, and preclude the necessity of a declaration that nothing partaking of the character of intimidation is intended by us. She ought to look upon it as the evidence only of an inflexible determination on the part of the United States to insist on their rights."

The bill, which the French government had prepared to be laid before the Chambers during the present session, had not yet been presented, when this message was received in Paris in the beginning of January. The French ministers considered the passages, which

we have quoted, to contain threats which rendered it inconsistent with the honour of France to maintain diplomatic intercourse with America. They immediately recalled their minister at Washington; and Mr. Livingston, the envoy of the United States in Paris, was informed that his passports were at his disposal. Mr. Livingston did not apply for them, having preferred to wait the instructions of his government on this new state of matters. The notification to Mr. Livingston had been made on the 13th of January: two days afterwards, in order to shew that they did not wish to find pretexts in the president's message for receding from their engagements, ministers laid the bill to authorise the payments before the Chamber of Deputies. In introducing it, M. Humann the minister of finance, stated "that the government knew too well the institutions of the United States to consider the president's message as being the voice of the country. The spirit and the letter of those institutions authorise us to consider the document already referred to as merely the expression of the idea of one individual, so long as that idea shall not have received the sanction of the other two powers of the American Union. The message is an act of government as yet incomplete, and consequently it cannot lead to one of those determinations by which France usually replies to a menace or to a reproach. France imputes neither to the people nor to the government of the Union, the sentiments and the propositions expressed by the president of the United States. We desire to look upon his message to the Congress as merely the inconsiderate act of

an isolated power; and the honour of the nation renders it not the less imperative on us to persist in the policy which has ever been that of the king's government—the policy of good faith." All accordingly that the government proposed to do was, to insert in the bill a clause providing that no money should be paid, till it had been ascertained that the government of the United States had not adopted any measures injurious to French interests.

In America, in the mean time, the recommendations of the president had been taken into consideration by the Senate and House of Representatives. The Senate was much less clamorously inclined than the president had been. On the 14th January, that body came to a resolution, that it was inexpedient to adopt any legislative measures in regard to the state of affairs between the United States and France; thus refusing to adopt any of the retaliating measures which the president had recommended, or to give the executive authority to adopt them in any given circumstances. General Jackson's party was stronger in the House of Representatives; but even there nothing followed upon the message. The committee to whom it was referred, so far as regarded foreign relations, passed the subject over without a report; being equally disinclined to put the president in the wrong, and unwilling to recommend the uncertain consequences of hostile measures, which a little time and patience might avoid, and which could in no way accelerate the payment of the money. As therefore none of the recommendations of the message had been followed out, and as no measure hostile

to French interests had been adopted, every thing seemed to have been done that was desired by the French government, or required by the bill. The French ministers themselves had taken the distinction between the executive and the legislature of the United States. They had declared that they had no disclaimers or explanations to ask in regard to the sentiments expressed by the president in a message to Congress, and that the expression of these sentiments would present no obstacle to the payment of the money, unless Congress adopted them, by passing measures or conferring powers for carrying them into effect. Congress had declined to adopt such measures or to confer such powers; therefore, the French ministers, on their own showing, had nothing more to ask.

The course which had been followed by Congress, was known in Paris, before the committee on the bill made its report on the 28th of March—a report which was said to have been purposely delayed, till it should be seen what conduct the American legislature would pursue in regard to the president's message, and the recal of the French minister. The report was in favour of the bill. The committee adopted the views of the government in relation to the president's message. "The committee," said they, "could not refrain from sharing in the public feeling which the message of the president of the United States had so warmly excited. The language he made use of, the measures of redress he proposed to Congress, notwithstanding some disavowals called for by old recollections and the greatness of France, have

naturally wounded the national sensibility; and if we had deliberated only under the impression of his words, we should have in vain endeavoured to prevent the voice of French pride from speaking louder than even the voice of justice. But the Congress put aside the proposals of the president; it was convinced that France would not allow to be forced on her obligations which she was disposed to fulfil, and that she would refuse to threats, that which might be obtained from her of right. We feel inclined to think that the American Congress will have persevered in this confiding reserve; but if, at the close of its session, its ulterior resolutions should coincide with the president's message, by granting him the powers he has called for, the interest and dignity of France, which your committee looks upon as intimately united, would require that the payment of what we owe should be deferred, until after the satisfaction that is due to us shall be made." The clause of the ministerial bill was varied, only by inserting "the dignity" as well as "the interests" of France.—"The payments of the sum of 25,000,000 fr. shall be made, only if the government of the United States proceeds to no act derogatory to the dignity and interests of France."

The bill, although keenly opposed on the same grounds on which it had been successfully resisted the year before, was carried, on the 18th of April, by a majority of 289 against 137. One amendment was moved to reduce the grant to 12,000,000 francs; another, to delay the question till next session; a third, that no interest should be paid on the debt, or at least that interest

should run only from the date of the passing of the bill. They were all lost; but an amendment moved by general Valazè was more successful. It provided, that no part of the money was to be paid, until the French government should have received satisfactory explanations with regard to the president's message. This was a total departure from the rule which the ministers had laid down; it was the application of a principle which they had expressly disavowed. Yet the ministers, abandoning their declaration that the message was not to be regarded, unless it was confirmed by acts of the legislature, adopted the amendment; and, with their consent, it was incorporated in the bill.

Mr. Livingston, when he was first informed in January that his passports were at his disposal, had stated in a note to the French government, that the message was neither intended to threaten nor to impute bad faith to the French executive, and that the message itself disavowed in terms any intention to menace. This note, which the minister gave in on his own responsibility, was approved of by the president; and his approval was officially intimated to the French government. Mr. Livingston, at the same time, received instructions to quit Paris, if the matter was not forthwith settled, and the Constitution frigate was dispatched to carry him home. On the 25th of April, he again addressed the French Cabinet in

regard to the obnoxious clause now introduced into the bill. He stated that his government could never recognise a right in any power to interfere with, or ask explanations concerning, the communications which one branch of the national councils was called on by the constitution to make to another: that all intention to use threats had already been voluntarily disavowed in January, before it was contemplated to make the explanation a condition of payment; that every thing had thus been done, which could be reasonably asked or honourably conceded: that the new demand now proposed to be made, was not only useless, but might be offensive, and certainly would not be complied with. The French ministry, however, adhered to the bill as the Deputies had passed it, and the American minister returned to Washington, leaving behind him a *chargé d'affaires*, authorised to receive payment of the money. His applications were fruitless; and he too, in the end of the year received instructions to leave Paris. The French government made no formal application for an explanation. The president, in his message in December of the present year, declared that he would never give one, nor allow any foreign country to interfere between the executive and the legislature of the United States. So stood the dispute in the end of December, when the British cabinet tendered its mediation, of which both parties willingly accepted.

CHAP. XVI.

SPAIN.—Unpopularity of the Government—Military Revolt in Madrid—Llauder compelled to resign—Weakness of the Ministry in the Cortes—Finance—Application of Church Property to Public Purposes—Seditious Movements at Malaga and Saragossa—Military Occurrences in Navarre and Biscay—Successes of the Carlists—Severe Measures adopted by Mina—Mina resigns the Command, and is succeeded by Valdez—Valdez advances, but is compelled to fall back upon the Ebro—The Carlists take Trevino—Convention for the Protection of Prisoners concluded under the Mediation of England—Popular Movement in Madrid in consequence of this Convention—Prorogation of the Cortes—Spain applies for Assistance against the Carlists to Britain and France—Refused, but Allowed to enlist Men in Britain—Count Toreno Prime Minister—The Carlists take Elisondo, Irun, Vergara, Villafranca, and Durango—They besiege and bombard Bilboa—Death of Zumalacarregui—The Carlists raise the Siege—Valdez resigns the Command of the Royal Army, and is succeeded by Cordova—Disturbed State of the Interior—Insurrection and Massacre of the Priests at Barcelona—A Junta formed which usurps the Powers of Government—Similar Occurrences at Saragossa—Valencia—Cadiz—Malaga—the Balearic Islands—Corrunna—Futile Decrees of the Government—Military Revolt in Madrid—Decree dissolving the Juntas disobeyed—The Andalusian insurgents march towards Madrid—Ministers resign, and Mendizabal forms a New Ministry—Decrees regarding the Press, and the suppression of Monasteries and Convents—A Levy en masse ordered—Meeting of the Cortes—Vote of Confidence in the Government—New Electoral law—Military Events—An Auxiliary Force from Portugal enters Spain. **PORTUGAL.**—Complaints of the Opposition—Bill for the sale of National Property—Finances—Other measures of the Cortes—Death of Prince Augustus—Change of Ministry—The dismissed Minister of Finance recalled—Difference of opinion between the Queen and Cabinet as to sending Troops into Spain—Ministers resign—The Queen is forced to recal them—She finally dismisses them—Queen's Marriage—Meeting in the Cape Verd Islands—Termination of the Methuen Treaty with England—Convention with Spain for the Navigation of the Douro.

ALTHOUGH the Spanish ministry had succeeded, by assembling the Cortes, in producing, for a time, apparent tranquillity, and had been supported by that assembly in its financial operations, it neither was secure of a decided majority in the legislature, nor did it possess sufficient strength to control the different parties which

were gradually forcing themselves into more decided action. The new government of the queen regent had been founded on an abandonment of the old system of unmitigated despotism : her daughter's throne was to be identified with more liberal institutions, and was thus to be protected by all political reformers. But the degree to which the old system was to be abandoned, and the forms in which a popular government were to be established, were questions on which every possible degree of diversity of opinion prevailed. The electoral law already introduced, with its limited franchise, and indirect elections, was far from giving contentment even to the party who wished nothing more than a strong and constitutional monarchy, and it, necessarily, was infinitely far from satisfying the more active and turbulent adherents of the ultra-liberal institutions of 1820. The former confined themselves to parliamentary opposition. In the preceding session they had carried the Declaration of Rights, but it still remained to embody its general and abstract propositions in practical and efficient laws. The democratical party, again, though weak in the Cortes, had its adherents in the most important towns and districts of the monarchy, and was dangerous by its machinations. They had established a secret society in Madrid, by which they acted on other parts of the country, and endeavoured to gain the garrison of the capital and the Urban militia or national guards. The Carlists, likewise, though no lovers of liberal institutions, lent themselves to shake and embarrass the government ; for whatever weak-

ened the throne of the queen strengthened the hopes of Don Carlos ; whatever tended to produce confusion and anarchy favoured the return of absolute power.

The appointment of Llauder, too, as minister at war, had excited jealousies and suspicions among all who did not wish the return of the old order of things, and had contributed to render the ministry unpopular. It was to the remonstrances of that officer, as captain general of Catalonia,—remonstrances much more bold than energetic—that the new system, in a great measure, owed its existence : his menaces had driven the regent to throw herself into the arms of the constitutionalists. But he was not trusted, and there was nothing in the history of his past life to conciliate confidence. His policy was believed to be directed, not indeed to change the occupant of the throne, but to restore its prerogatives, because his personal ambition would have freer scope under an absolute monarch than under the restraints of a popular government. He was accused not merely of failing, as war minister, to make sincere and hearty exertions to put down the Carlists in Biscay and Navarre, but of wilfully allowing them to gather strength ; and this, again, was imputed partly to the mutual enmity which subsisted between him and Mina, and partly to a desire to produce a pretext for demanding the assistance of a French army. The colleagues of Llauder did not repose more confidence in him than the nation. He was more disposed to make his own way by personal influence with the regent than as one of an united ministerial body.

In the beginning of the present year, when he had not been long in office, considerable agitation was produced in Madrid by reports that he had succeeded in ousting Martinez de la Rosa and Toreno, and receiving authority to form a cabinet after his own heart.

The unquiet elements, which were thus at work, shewed themselves first in a military revolt. Early on the morning of the 18th of January, the second regiment of the line, which formed part of the garrison of Madrid, turned out in arms, and seized the post-office, disarming the guard. So far as their objects could be learned from their cries, they wanted "Liberty and the Cortes of 1812," mingling in their acclamations the queen and the regent. General Canterac, the captain-general of the metropolitan province, hastened to the spot, and attempted to parley with them; they answered with a volley of musketry, and the captain-general fell dead. The other troops of the garrison were then called out; and Llauder, who assumed the command, ordered the revolted to be attacked from different sides in their position of the post-office. An engagement ensued; several lives were lost on both sides, but the mutineers were not dislodged. Seeing, however, that their cause was hopeless, as no other body of troops had joined them, they offered to submit on receiving an unconditional pardon. Llauder closed with them upon these terms; not a single man was punished; not a single example was made. All that was insisted on was, that they should immediately march to join the army of Navarre, and, in the course of the same night, they left Madrid for

their destination, with colours flying and drums beating.

Not merely the alarming nature of this occurrence, but still more the impunity with which these perpetrators of treason and murder had been allowed to escape, excited loud clamours against the government, and particularly against Llauder. On the 19th, the Chamber of Procuradores directed him to attend to give explanations as to what had happened, and to shew that they were in earnest, they resolved, by a large majority, to declare their sittings permanent till he should have appeared. Llauder entered the Chamber, while this motion was under discussion; but still it was insisted that it should be put to the vote. One orator after another then poured forth against him all the fears and suspicions which had been accumulating. He had been seeking, they said, to monopolise the confidence of the regent, and to abuse it in order to effect the dismissal of the other ministers, and to govern the country by a *Camarilla* composed of persons whose former conduct and opinions rendered it impossible that they could ever be trusted by a people equally resolved to support its own liberties and the rights of the throne. Since the moment of his entry to the ministry, one cause of apprehension after another had been disturbing the public mind. The army of the north was to be paralysed, by the position of its corps being changed, because Mina commanded it; Mina himself was to be recalled: conciliation was to be attempted with the pretender to the throne, and public report said, it was intended to propose a marriage between the queen and the

son of Don Carlos. There was every reason to dread treachery, and to suspect, that disturbances would be encouraged in order to serve some sinister purpose. The war-minister had notice of the revolt of the 18th on the preceding evening; he had taken no means to prevent it, and had punished the offenders by sending them on a service in which every true Spaniard would consider it an honour to be allowed to take a part. It was proposed, therefore, to present an address to the regent, declaring that the cabinet, as at present constituted, did not possess the confidence of the Chamber.

Although the motion was general in its terms, and although, in the discussion, the other ministers had received their share of blame for the lenity which had been shown to the mutineers, it was Llauder whom it was intended to reach. That minister admitted, that he received some vague information, on the night of the 17th, of a rising being prepared, not for next morning, when it actually took place at an early hour, but for the next evening; and he had immediately transmitted that information to the captain-general. So soon as he heard of the actual insurrection, he hastened to the spot at the head of the troops, and compelled the rebels to capitulate. In treating it with lenity, he had only been actuated by a desire to avoid the shedding of blood, and the certain loss of life in a continued contest with men rendered desperate by the refusal of pardon. The other ministers had concurred with him, and to pardon was the prerogative of the Crown. All the other pretended accusations against him he declared to

be calumnies. He had been only three weeks in office; he had already laid before the cabinet a memorial on the war in the northern provinces, and the recommendations, which it contained, had been unanimously approved of by his colleagues. Instead of reinforcements having been refused to Mina, every man had been sent who could be brought forward, with the exception of one regiment, the march of which it had been found necessary to countermand in consequence of disturbances in Granada. He had in no respect interfered with the movements of the divisions forming the army in the north, and had left its commander full power to use it as he might think best, without attempting either to direct or to paralyse his operations. He had given surer pledges to the existing government than those in whom the language of violent liberalism concealed strong Carlism. His address to the regent in May last year had produced those events which established the freedom of the country. In Catalonia he had raised a body of 40,000 men, had disarmed 24,000 Carlists, and had left the province in such a state of tranquillity, that he had already been able to send troops from it into Navarre to aid that very army which he was now accused of wishing to render inefficient.

The other ministers did not abandon their colleague, but the course of the three days' debate convinced Llauder that his most prudent course would be to yield to the storm. He gave in his resignation, and returned to the captainship general of Catalonia, an office which his enemies, both

within and without the Chamber, blamed the government for allowing to remain in the hands of an ambitious, irritated, and disappointed man. The Chamber did not adopt the proposed address against the cabinet, but substituted in its place a loyal address, expressing their abhorrence of the lawless attempt of the 18th, and of every approach to military insubordination. The more distinguished of the opposition leaders, including Arguelles and Galiano, spoke in favour of this address; but the more violent of their followers quitted the Chamber rather than vote for any thing which did not denounce the minister. The war department, after having been held provisionally for a few days by Martinez de la Rosa, was given to general Valdez, who himself had once tried his fortune as commander in Navarre, and from whose energy and experience it was expected that the contest would take a different turn. Shortly afterwards, Moscoso de Altamira, the minister of the interior, who had likewise been roughly treated during these debates, and Garelli, the minister of justice, who was blamed for having concurred in allowing such dangerous criminals as rebel soldiers raising civil war in the heart of the capital to escape unpunished, gave in their resignations. The former was succeeded by Medrano, the vice-president of the Chamber of Deputies, and the latter by De la Dehesa, one of the judges of the war tribunal, and the translator of De Lolme's work on the English Constitution.

These changes had not added either to the moral power of the government, or to its influence in the Chambers. The deputies pressed for particular laws to carry into

effect the provisions of the declaration of rights: the revolutionists, encouraged by the apparent want of energy in their rulers, became more bold, and prepared, in several of the provinces, to bring their favourite theories into action, while the Carlists urged them on, in order that they might profit by the confusion. As restlessness and alarm increased, and the fate of arms in Navarre seemed as little favourable to the royal cause as ever, all this was imputed to the want of energy in the ministry, and particularly to their backwardness to rouse and maintain the spirit of the people. Their opponents in the Chambers represented them as pursuing a system which was guided by no plan, which crushed all enthusiasm, which produced a bad administration of justice, undue moderation towards the enemy, excessive and groundless fears of the *exaltados* or radicals, an impracticable desire of bringing about a fusion of parties diametrically opposed to each other, and a course of proceedings which experience had shown to be a cheat on the nation, and which, instead of diminishing, had increased the misery of the state. Nor were these attacks confined to mere declamation: the ministry felt the effects of them, as diminishing their hold upon the Chamber in several of its votes. Thus they carried the vote for the sum required to pay the salaries of the censors of the press, but only by a majority of 71 to 50, several members having declined voting. The secret police was attacked still more vigorously; the opposition representing it as being no less odious than the Inquisition, searching out political offences on which to wreak the vengeance of

the government, as the Inquisition had hunted out religious transgressions. The vote for its expenses was carried by 72 to 50, ten members having declined to divide either way. A committee appointed to consider the state of the pensions paid by government, gave in a report which applied the pruning knife to them very unsparingly. The ministry attempted to oppose it, but they were left in a minority of 31 to 85.

One leading topic of invective against the government was its alleged backwardness to use or to render useful the Urban militia. The constitutionalists and the revolutionists were equally desirous that this species of force should be encouraged; the former, because they thought that the country must trust to it for putting down the war in the northern provinces, either by its own exertions or by setting free the regular troops from all other service; and the latter, because they expected to find in it a useful and powerful instrument for the execution of their more turbulent designs. The opposition deputies themselves prepared a bill for the better organization of the militia, and then moved, in the beginning of March, an address to the regent, praying first, that she would give the royal sanction to the bill, by causing it to be regularly proposed to the legislature, and secondly, that she would direct the strictest orders to be given to the provincial authorities, charging them, on their responsibility, to re-animate the public spirit by every means in their power, and promote the formation and arming of the militia. The ministers combatted these propositions strenuously. They denied that they had shown any apathy in re-

gard to this species of force; for they had enrolled 268,000 militiamen, of whom 131,678 were completely armed, including nearly 14,000 cavalry. They objected, likewise, to the petition as being unconstitutional; because it tended in some measure to make the Crown submit to the dictation of the Chamber, and placed this force too much on the footing of a civil institution, instead of leaving it entirely to the military governors in the provinces. Both articles of the petition, however, were carried against the government, the first by a majority of five votes, and the second by a majority of four.

The other proceedings of the Cortes were principally connected with the finances of the state. The foreign debt had been arranged during the preceding year. In the present, a bill was passed for the liquidation of the home debt, proceeding upon the same principle, viz., that part of it should be converted into a new stock, bearing interest, and the remainder should continue a passive debt to be gradually redeemed. The church was made to contribute towards the public necessities in more ways than one. It was enacted that all debts due by the state to ecclesiastical corporations, confraternities, hermitages, sanctuaries, or foundations for pious purposes, should be "suspended." This suspension, which, as matters stood, and were likely to stand, was equivalent to a forfeiture of the debt, was put upon the ground that a new system of ecclesiastical regulation was about to be introduced. Hospitals for foundlings or sick persons, foundations for the purposes of education, or for providing marriage portions to young

ladies, were excepted from the law. Next, the property of the foundations, whose debts were thus suspended, was to be applied to the liquidation of the passive debt. To the same purpose were devoted the revenues which had belonged to the Inquisition, and the temporalities of the Jesuits, and finally a seventh part of the yearly value of the territorial property of the church. Count Toreno stated that this property was worth 4,000,000,000 of rials, (more than 40,000,000*l.*), which would produce at 3 per cent., an annual income of 120,000,000 rials, or upwards of 1,200,000*l.* To this fund of payment was likewise added one-half of the crown lands, and of common lands; and regulations were laid down for converting them into money. A considerable portion of national property and church property had been sold under the government of the Cortes. Ferdinand, on his restoration to absolute power, had annulled these sales, without ordaining repayment of the price, which certainly, in so far as the church was concerned, had not gone into the pockets of the clergy. Ministers now proposed to enact that this property should be restored to the former purchasers, unless the price was repaid, and to allow the old possessors a year to make their choice between paying and surrendering. The opposition moved an amendment that the restoration should take place immediately, and carried it by a large majority.

But while the legislative body was arranging measures of finance, alarming symptoms of popular commotion were becoming more abundant in different parts of the kingdom, sometimes excited apparently by very slight causes, but all of them betokening that the

public mind was utterly unsettled, easy to be worked upon by active machinators, and extremely apt to disregard the value of regular and orderly authority. In the end of March, a dangerous sedition showed itself in Malaga, in consequence of the governor, in obedience to an order of Valdez, as war-minister, which prohibited military bands from playing party airs in public, having interfered with the Urban militia, who were returning from the funeral of a comrade to the tune of Riego's hymn. The soldiery expressed themselves in loud threats against the governor, who was compelled to fly to Grenada, to seek the aid of the captain-general. Aided by the mutinous militia, the exaltados of the town attempted to proclaim the constitution of 1820, and to perform the ceremony of pulling up the stone of the constitution, which is in Spain what the planting of the tree of liberty was in France. On the approach of the captain-general they invited him not to enter, and as he had no large force at his disposal, he complied with their request, till he should receive orders from Madrid. The government hastened the departure of general Santa Cruz, who had been appointed to replace the governor, even before intelligence of the revolt had been received. On his arrival, with the assistance of the respectable part of the inhabitants, who had opposed themselves to the rioters, he succeeded in restoring peace.

A more ferocious spirit manifested itself at Saragossa in Aragon. The archbishop of that city had suspended a clergyman from the performance of his functions, because, as one account said, he had been guilty of conduct un-

becoming his profession or, as another party said, because he was addicted to liberal opinions. The populace rose to take vengeance on the archbishop as a Carlist. They attacked his palace, calling for his blood, and, according to custom, for the constitution of 1820. Having been unable to force the palace, they spread themselves through the town to attack the monasteries. They rioted uncontrolled for some hours, before troops could be collected to disperse them; and during that time they murdered ten monks, besides several citizens who were killed or wounded by their random shots. Bands of insurgents were forming in Galicia. Conspiracies were discovered in Seville and Valencia.

The embarrassments of the government, arising from this excited state of party feeling, and from the want of a commanding influence in the legislature, were greatly augmented by the course of military events in Navarre and Biscay. The continued existence of the insurrection in these provinces, with the pretender to the crown at its head, constantly kept alive the suspicions and fears of their political opponents. The ministers could not be accused of any wish to sacrifice the new system of things, which alone had raised them into power, and to which there was no reason to doubt that they were sincerely attached; but their opponents would not believe that the suppression of the insurrection, if it had been cordially prosecuted, should not have been already effected, and they were alarmed at the prospect of its advancing so far as to lay the government under the necessity of having recourse to the services of a foreign army. In the end of the preced-

ing year, Mina had been appointed to the chief command in the revolted provinces, to take his turn among the generals who had successively tried in vain to crush the insurrection. He was the hero of the liberals; his political principles, almost republican, assured them of the sincerity with which he would act against an enemy fighting to restore absolute power; and his military reputation held out the promise that his sincerity in the cause would not labour in vain. Mina assumed the command in the beginning of December; but for three months he remained inactive. Indisposition at first was said to be the cause; then distrust and dislike of Llauder, as minister of war; and finally a prudent resolution to attempt nothing, until he had so reinforced and equipped his army as not only to secure himself against defeat, but likewise to accomplish some object of importance. But whatever might be the cause, the contest was continuing, even in the dead of winter, and in a mountainous country; the Carlists in general assuming the offensive. The character of the war was not changed. Zumalacarragui and his subordinate leaders did not expose themselves to the chances of a general engagement, but, by rapid marches, directed their attacks against divided bodies of the enemy, or isolated fortresses and positions; and as numerous bodies of regular troops or of militia were moving from the interior to reinforce Mina at Pampeluna, many facilities were afforded for their peculiar mode of warfare.

On the 2d of January, the Carlist chief attacked a body of the queen's troops posted at Ormaistegui, not far from Vittoria, under the command of general Caratala. The

atter admitted that the assault was obstinately maintained, but he claimed a victory, and wrote in his dispatches, that if another hour of daylight had remained, the enemy would have been annihilated. That enemy, however, continued on the ground; and, on the following day, he found it prudent to fall back upon Vittoria. About the same time, another division of the Carlists under Eraso, advanced still farther into the country. Passing Vittoria, they penetrated into Castile, carrying off arms and provisions. On the 5th January, they fell in with a battalion of militia, consisting of about 500 men, on its march to Pampeluna. With the exception of its commander and sixteen men, the whole battalion was killed or taken prisoners, the latter, however, amounting to only 160. Eraso did not venture farther into the open country, but returned into Biscay. Zumalacarregui himself, after driving Caratala into Vittoria on the 3d, advanced to the south of that town as far as St. Vincent, near the frontiers of Castile; thus placing himself between Mina and Madrid, apparently with the intention of attacking in detail separate bodies of troops which might be moving on Pampeluna, and at all events, usefully employed in interrupting the communications and cutting off supplies. On the 5th of February, two divisions of the royal army under generals Lorenzo and Oraa, brought him to action, but were repulsed with an admitted loss of 350 men, although the Carlists rated it four times higher; and in the end of the month he made himself master of Los Arcos, where he found 500 muskets, and upwards of 100 prisoners who had been wounded

in the affair of the 5th. The garrison, however, made good its retreat to Lodosa. All his attempts to carry the fortress of Maestofailed.

So far the campaign had in no degree turned the scale against the Carlists. Their successes had not been less, their advances towards Castile had been bolder, than on former occasions; and the resources and skill of Mina were either dormant or insufficient for the purpose. In the meantime, likewise, the Carlists were continuing the siege of Elisondo, in Navarre, and were pressing it hard. Mina, on the 4th of February, dispatched colonel Ocana, at the head of 1,500 men, to relieve the town, or strengthen the garrison. Zumalacarregui overtook him at the village of Ziga, a village of the Bastan, on the road from Pampeluna to Urdache. Ocana entrenched himself in the village, and resisted bravely a series of attacks for several days. Lorenzo was first ordered up to his relief, and Mina himself followed. The Carlist leader then retired with his troops to St. Estevan, and Mina, instead of following him, took under his protection a convoy of money coming from France, and returned to Pampeluna. The siege of Elisondo, where Ocana had been left, was immediately renewed. Its situation became critical, and Mina found it necessary to adopt efficacious measures for its relief. He marched from Pampeluna, on the 10th of March, at the head of two divisions. Zumalacarregui was immediately at his side, with the intention of taking advantage of the nature of the country through which these divisions had to march, to separate them from each other. He was unable to accomplish his purpose, but he compelled Mina to

change the direction of his march. The skirmishing which took place did not produce very serious loss on either side. Mina himself was wounded. He gave a striking proof of the savage bitterness of spirit with which this desultory warfare was now carried on. The putting of prisoners to death in cold blood had commenced in the previous year. Each party accused the other of having first had recourse to this enormous barbarity, and took shelter under the plea of retaliation. On the 2d of February, a steam vessel in the Spanish service, but manned and commanded by British seamen, had captured a vessel on the coast of Biscay, on board of which were 27 Spanish officers on their way to join Don Carlos. Their captors insisted that they should not be put to death; and the government was exposed to loud abuse from the liberal press of Madrid for having granted the request. In return for this good deed, Zumalacarregui, when he found 100 wounded prisoners at Los Arcos, in the end of the month, spared the lives of all of them. Mina, on assuming the command, had issued a proclamation denouncing death without pity to all who should show any favour to the cause of the insurgents, and had added, that it was known how he kept his word. On his present march to Elisondo, he burned the village of Lecaroz, and shot every fifth man of its population, apparently for no other reason than that the inhabitants had not been able to resist the Carlist army, and had fled from the fate which they knew awaited them. In the proclamation in which Mina held out this military execution to the Navarrese as a memento of the manner in which he kept his word, he said, "From this day, will date

the real war of Navarre. The village of Lecaroz was faithless to her majesty, sustained her enemies, received arms and ammunition for them, and even violated all existing laws, since its inhabitants took to flight, when my troops arrived without giving any notice to the authorities. This afternoon I delivered over this village to the flames, and its inhabitants have been shot, one out of every five, as a punishment for their crimes. The very same end is reserved for all masses of inhabitants, as well as for every individual, who shall follow the example of Lecaroz. I am resolved to put an end to an obstinate and shameful rebellion, by all ways and means, unless you shall come to me, who am always disposed to pardon you. Navarrese, remember that I know how to keep my promise." Having again relieved Elisondo, he again returned to Pampeluna, and the Carlists again advanced in different directions. They made themselves masters of the small fortress of Alazagutia in the Borunda, and at the end of March, they were again fighting the royal troops under general Aldama, in the neighbourhood of Estella. In Biscay, too, they were becoming more formidable, and were preparing to blockade Bilboa, by cutting off all communication between it and the interior.

Mina, from whom so much had been expected, and by whom so little had been done, now followed the example of his predecessors, and resigned the command. In his letter to the minister of war, he ascribed his resignation entirely to his infirm state of health, which prevented him from being always at the head of his army, and from taking the active and personal superintendence which was necessary for the queen's service. He

had abstained, he said, from taking this step so long as his army was in an enfeebled condition ; but now, when strong reinforcements had arrived, and other resources were in the course of being organized, he urged the necessity of placing them under an officer more able to conduct it usefully than his bodily infirmities allowed him to do. The queen regent granted him permission to go to France for the benefit of his health ; and the minister of war, general Valdez, hastened into Navarre to take the command. From Vittoria he put forth, on the 18th of April, a proclamation, which, like those of Mina, announced that he would deliver up to the flames all the towns of such vallies as served for the ordinary refuge of the rebels, and in which they found resources or a friendly reception, but which was less savage, in so far as general Valdez promised to respect the persons of the inhabitants, who would find shelter and security, if they withdrew into other provinces, or into the garrisoned towns. On the 19th of April he marched from Vittoria at the head of 30 battalions, five squadrons, and a good field artillery, to attack Zumalacarregui, who waited for him in the vallies of Amascoas. They met on the 20th, and a sort of running fight began, which continued on the 21st and 22d. Both parties claimed the victory, but the result was, that Valdez fell back upon the Ebro, that Zumalacarregui attacked his rear-guard, commanded by Cordova, threw it into confusion, and occasioned to him a loss of between three and four hundred men. The best proof that the royal army had accomplished nothing lay in the fact that Zumalacarregui, on the 12th of May, invested the town and fortress of

Trevino, situated considerably to the south of Vittoria, and near the frontiers of Castile. He bombarded it so vigorously, that it capitulated on the 13th ; the garrison surrendering themselves, and being treated as prisoners of war. A few days previously, the royalists, under Yriarte, had sustained another severe loss at Guernica, in Biscay, by allowing themselves to be drawn into an ambuscade. The division, which consisted principally of recruits, became panic struck at the unexpected attack, and dispersed themselves with the loss of several hundred men, and a large quantity of arms and ammunition. The burning of the villages by no means served the queen's cause ; for the ruined inhabitants joined the battalions of the Carlists.

The only mitigation of the ferocities of this unhappy civil conflict proceeded from the humane offices of a foreign nation. Having previously obtained the concurrence of the Spanish government, and acting in concert with that of France, the duke of Wellington, who was then foreign minister in England, under the administration of sir R. Peel, dispatched lord Elliot to Navarre, in the month of March, to bring the contending parties, if possible, to an agreement to treat their prisoners according to the laws of civilized war, instead of murdering them when the fight was over. His lordship arrived at the headquarters of Don Carlos towards the end of April, after general Valdez had assumed the command, and succeeded in prevailing upon him and Zumalacarregui to sign a convention, by which the prisoners taken on either side were to be treated as prisoners taken in ordinary war. Valdez made some objection to its being called a con-

vention, which might imply that the parties to it stood upon an equal footing. The Carlist leader consented that it should be called a stipulation, and took to himself no character but that which he possessed, that of the general *de facto* of an army actually in the field, and waging war with some effect. The Royalists, indeed, might maintain that the troops of Don Carlos were Spanish rebels, not intitled to be treated like prisoners taken fighting under the banners of a foreign state, but as traitors seized with arms in their hands. As, however, these armed rebels unfortunately had the power of taking loyal subjects prisoners, and then putting them to death under their own treason law, it was reasonable and humane to save both parties from a butchery which only rendered the spirit of the contest more ferocious and bitter. The beneficial effects of the arrangement were immediately felt. On the very day of lord Elliot's arrival at the headquarters of Zumalacarregui, after the affair between that general and Valdez on the 21st and 22nd of April, a number of prisoners had been brought in, and preparations were made for their execution. Their lives were spared on his lordship's interposition, even before the stipulation had been agreed on. It was under its protection that the garrison of Trevino, when it surrendered to Zumalacarregui, were treated as prisoners of war. It turned out, likewise, to be more favourable to the Royalists than to the Carlists; for it so happened that the former lost more prisoners than they took. Lord Mahon, who was under-secretary of state for the foreign department at the time when

lord Elliot's mission was undertaken, stated in parliament (19th of June), on the authority of a letter of general Cordova, that, within a month of its being concluded, the convention had saved the lives of more than 600 of the queen's troops, while not one of the rebels had derived advantage from it—a proof of itself that the military operations of the Royalists had been defensive or unsuccessful.

Yet this work of humanity produced sedition and uproar in Madrid. The mission of lord Elliot had immediately attracted the notice of the opposition in the Cortes, who apprehended it might be the commencement of a design “to protocolize” Spain, as they called it, in the same way in which they said Belgium had been dealt with. On the 21st of April they demanded explanations on this point from the government. M. Martinez de la Rosa stated, that the mission had been undertaken with the approbation of the Spanish government; that its object was in no respect political; that it was no negotiation of the government with the rebel prince, but a mere attempt, on the part of a friendly power, to put a stop to bloodshed except in the field of battle. He acknowledged that as the leaders of the conservative ministry in England were supposed by some to have a certain degree of favour towards the cause of Don Carlos: it was not unnatural that the friends of liberty should have been jealous of the object of the mission; but it was his duty to declare, in justice to the duke of Wellington and sir Robert Peel, that no cause for such distrust existed. The Spanish government had at no period the slightest ap-

prehension that the English ministry was favourable to the pretender's cause. On the contrary, they had received from that ministry nothing but proofs of its good intentions with regard to the legitimate cause of Spain and Portugal; nor had the English ministry confined itself to words alone, their acts had been in accordance with their professions; and this he stated in order to tranquillize the minds of the friends of the legitimate cause, and to disperse all the hopes of the partisans of the pretender. There was no negotiation with that prince. No foreign power had offered to interfere in the dispute, and none could be called on to do so. The additional articles to the treaty of the quadruple alliance entitled Spain to ask assistance from the parties to that treaty either on land or sea; but he repeated, what he had frequently stated before, that the government stood in no need of such assistance, and would bring the contest to a successful issue, with no other aid than that of the nation and the laws. Within a month, the president of the council found reason to think otherwise.

On the 9th of May, the convention, which had been concluded a few days before between Valdez and Zumalacarregui, became known in Madrid. The opposition expressed disapprobation of it in the Chamber, and all the various classes of revolutionists out of doors became ferocious. They cried aloud that the government was betraying the country; that the ministry were negotiating for the return of Don Carlos to crush all the friends of liberty; that they were preparing to place Spain under the control of foreign

powers; that they had begun with securing safety to rebels, and would immediately end in punishing the loyal. An opposition deputy gave notice that he would move, on the 11th of May, that an address be presented to the regent for an authentic copy of the convention. The public authorities received information that on that day an insurrection would be attempted, and that violence was threatened to the ministers and the deputies who adhered to them. Upon this, the military governor of Madrid placed, on the 11th, a strong guard of cavalry in front of the Chamber, to protect its members and its deliberations. This step displeased the populace; and as the guard was removed at the request of the president, because they had been brought there without consulting the Chamber, the populace considered its withdrawal as a concession to their clamours. The debate proceeded on the question, whether the proposition should be taken into consideration. The crowd in the galleries became riotous; the galleries were cleared; and the ejected liberals carried their irritation to augment the wrath of their brethren without. Ministers resisted the motion, because it was made avowedly with the purpose of founding upon it some motion of censure, but it was carried by a majority of four. On quitting the Chamber at the close of the sitting, and getting into his carriage, Martinez de la Rosa was assailed by the mob with cries of "Kill him, kill him!" They attempted unsuccessfully to drag him from the vehicle; but after entering the court-yard of his dwelling, and when about going into one of the apartments, he was attacked by a

private of the Urban militia, who having been supposed by the servants to have been one of those who assisted in protecting him from the fury of the populace, was permitted to follow the carriage. The man drew his sword and made a thrust at the minister, which fortunately missed its aim, as he was at the instant pushed aside by the minister's sister-in-law. In the confusion the assassin escaped into the street. The mob was then joined by a battalion and a company of the Urban militia, and continued shouting for the death of the prime minister, the old constitution, and liberty, till the interference of the garrison restored tranquillity. The Chamber of Deputies voted an address to the regent, expressing their abhorrence of the attempted assassination; and the danger, to which the minister had been exposed, probably did him good in the next division. The vote of the Chamber on the 11th had only decided that the proposal of an address to the Crown for a copy of the convention, with the view of founding upon it a vote of censure, should be taken into consideration. On the 27th the proposition was itself discussed and rejected; the Chamber deciding almost unanimously that there was no ground for any farther proceedings. On the 29th the session of the Cortes was closed.

Perhaps one motive for the prorogation was a wish on the part of the cabinet to avoid debates regarding the resolution which they had now adopted, to apply for foreign aid. While events like those of the 11th made it manifest that the public tranquillity could never be secure, so long as the insurrection in the north supplied

materials and pretexts for accusation and distrust, it unfortunately happened that the prospect of bringing it to a successful termination seemed to be more distant than ever. Mina had resigned, leaving it as he had found it. Valdez had begun with great vigour, but already he had been compelled to relinquish all schemes of attack, and to act on the defensive. The disaster of Guernica had taken place; it had been followed by the surrender of Trevino, and the capture of its garrison. Bilboa was blockaded; Vittoria was threatened. The Carlists had regained the command of all their former ground; while the royal army, notwithstanding all the exertions which had been made to reinforce it, could not point to any one tangible advantage which it had secured. The cabinet, however reluctantly, resolved to have recourse to their allies; and an application to that effect was made, in the end of May, to Britain, France, and Portugal, the parties, along with Spain, to the quadruple alliance, and its additional articles.

This resolution was followed by, although, perhaps, it did not produce, a change in the ministry. The president of the council, Martinez de la Rosa, had, for some time, been the object of incessant attack to the violent party spirit which agitated the country. It was said to be his system which prevented the adoption of bolder reforms, and of more rigorous measures against the abettors of despotism. He had already tendered his resignation more than once. On the 7th of June, the regent at last accepted it, stating in the decree which announced the occurrence, that "he has given such proofs of indefatigable zeal for

the public welfare, knowledge, loyalty to his sovereign, and attachment to my person, as will render him always entitled to my benevolence, and to any recompence he may desire." His colleague, count Toreno, became his successor as prime minister, and president of the council, and formed for himself a new cabinet. He was himself the foreign minister. The ministry of the finances, which he himself had held in the late cabinet, was given to M. Mendizabal, a financial agent in London of the Portuguese government. Alvarez Guerra was made minister of the interior, and Garcia Herreros, minister of justice. The war department, which had been in a manner vacant since the departure of Valdez to take the command in Navarre, was given to the marquis de las Amarillas; and general Alava, who had been an aide-de-camp of the duke of Wellington at the battle of Waterloo, was named minister of marine. The new ministry, in announcing its formation, declared that its attention would immediately be directed to various measures of reform. They promised, 1st, a greater latitude to the liberty of the press, which was to be freed from "certain restrictions"; 2dly, provincial juntas, to be immediately organized, whose business it would be to arm division, of men, in order to strengthen the army as far as possible, and also to take such measures for the defence of the country as those which, in the war with Napoleon, proved so advantageous to the national cause; 3rd, the suppression of monastic orders and the Jesuits; the revival, in full force, of the decree of the Cortes of 1820, relative to the sale of national property, and the immediate restitu-

tion of the national property sold in 1822, and 1823; 4th, the free gift to the people of one-half of the communal property; 5th, an increase of the Urban militia, one portion of which would be made moveable. Some of these measures had already been either decreed or promised in the present year.

The new cabinet was formed in time to receive, from the most powerful of the allies of Spain, a negative answer to the application which had been made for direct and efficient assistance. The additional articles to the quadruple treaty, framed in 1834 to meet the new state of things which unexpectedly arose when Don Carlos returned to Navarre from England, provided, in regard to France, that she would take such measures on the frontiers "as may prevent the Spanish insurgents from receiving from the French territory any kind of assistance soever, whether in arms, men, or ammunitions of war." The royalists complained loudly that even this obligation had been openly and continually violated; the Carlists receiving across the frontier, without obstruction, convoys of money, arms, and ammunition. But, at all events, it did not entitle Spain to demand, or Louis Phillipe to insist, that a French army should march to put down the insurgents. The French cabinet refused to send troops, more especially as Britain declined to become a party to such a step, although she would not object to its being done by France. The obligation laid on Great Britain, again, by the additional articles, was an engagement "to supply her catholic majesty with such arms and munitions of war as she may stand in need of, and, if necessary, to assist her with a naval force." Arms and ammunition to

the value of 200,000*l.*, had already been furnished; and the English government did not think that circumstances called for the more active interference which was now required. The Spanish minister then requested that the king, by an order in council, in terms of the statute, should suspend the operation of the foreign enlistment act, to the effect of allowing the Spanish government to raise, in Britain, a body of 10,000 mercenaries. This request was complied with. The order in council was promulgated on the 10th of June, and forthwith an active system of recruiting began in England, Scotland, and Ireland; a British officer, colonel Evans, one of the representatives for Westminster, having consented to serve at the head of the new levy. On Portugal, the conditions of the treaty were more stringent. The queen of Portugal was bound "to co-operate, in case of need, in assisting her catholic majesty with all the means in her power, in the way which may be agreed upon by their said majesties." The Portuguese government now engaged to send a body of troops into Spain. They could not be expected to be of service in Navarre, and long delays were interposed to their movement; but they might be useful in the provinces bordering on Portugal, where disturbances, partly produced by Carlists, and partly by democrats, were frequently showing themselves.

While the regular government of the kingdom was thus begging foreign aid to put down a partial insurrection—while the spectacle was presented of a throne, supported, as it was said to be, by the opinions and affections of a whole people, applying for safety to drafts from the idle population of London,

Manchester, and Glasgow,—Zumalacarregui continued to take advantage of the state of inaction to which he had speedily reduced Valdez, till the fate of war put an end to his own enterprising career. After the retreat of the royal army to the Ebro, Elisondo fell, the garrison having been compelled to abandon it; and Urdache shared the same fate. The division of general Oraa suffered a severe loss in making its way back to Pampe-luna. Villafranca, which forms one of the most important positions in the mountain passes, was next attacked, and surrendered, after a siege of a few days. The garrisons of Irun, Tolosa, Vergara, and Durango, abandoned these towns to the enemy. In the beginning of June, the whole of the Bastan was now cleared of the royal troops; and Zumalacarregui, leaving part of his forces to besiege Salvatierra, within a few leagues of Vittoria, marched into Biscay with the remainder, to make a vigorous attempt upon Bilboa, which the Carlists of that province still kept blockaded. He began to bombard it on the 14th of June, and continued to throw shot and shells into it for several days, without effecting much injury. General Espartero had been able to strengthen the garrison with a large re-inforcement; but the best instrument of defence was found in the English crew of a Spanish steam-ship. They landed, placed and worked their guns and congreve rockets with serious injury to the besiegers, and among the wounded was the Carlist leader himself, whose leg was shattered by a shot on the 15th. In consequence, it was said, of his having refused to allow the limb to be amputated till it was too late, the

wound became mortal, and he expired on the 25th. The death of Zumalacarregui diffused hope and joy into the royal army, and was the severest loss that the cause of Don Carlos had yet sustained. The councils of that prince were greatly under his influence, if not subjected to his entire direction; and it was through his bravery, skill, indefatigable activity, and perseverance, that the insurrection had assumed so formidable a character, and so many captains had been doomed to witness the failure of all their plans, and the fruitlessness of all their exertions.

On the death of Zumalacarregui, Eraso assumed the command of the Carlist army, and continued the siege for a few days longer; but he was unable to prevent a large division of the royal army, which Valdez had dispatched from the south on learning the danger of Bilbao, from entering the town: all hope of success was then at an end. The Carlists raised the siege on the first days of July, and directed their march to their former positions in the neighbourhood of Estella. Valdez, on his return, resigned the command, which he had held with even less satisfaction to the country than any of his unsuccessful predecessors; and general Cordova was placed at the head of the army. His opponent, Eraso, too, in consequence of the state of his health, gave up the command of the Carlist forces to Moreno. Part of the auxiliary force, which had been raised in Britain, arrived at St. Sebastian on the 10th July; but a considerable time had to be spent in drilling and equipping, before they were ready for the field. Don Carlos so soon as he learned that foreign mercenaries were to be used against

him, issued a proclamation, dated June 20, by which he declared that these foreigners would not be entitled to the protection of lord Elliot's convention, and that such of them as might fall into his power would be shot. Even as regarded Spaniards, however, the convention was already set at nought, and the Royalists seemed to set the example. Cordova having made fifty prisoners in an affair near Taffala, between Pampeluna and the Ebro, in the beginning of July, shot twelve of them. The Carlists on learning this, put to death thirty-six officers of the queen's troops, who were in their hands as prisoners.

Encouraged by the embarrassments with which the continuance of this exhausting and unsuccessful warfare surrounded the government, and alarmed, or pretending to be alarmed, lest its progress should lead to the re-establishment of despotism, the democratic party now broke out into open defiance of the laws, and sought after its own objects by usurping the powers of government, while the rabble, which it let loose, rioted in bloodshed. The clergy and monastic bodies were objects of jealousy and dislike, because they were wealthy and were suspected of being all of them in heart, while some of them were known to be openly, well-wishers to Don Carlos. The Cortes, we have seen, had not been dealing very tenderly with the revenues of the church. They had shewn great aptness at "appropriating a surplus." But this slow course did not satisfy the reformers, who sought the destruction of the clergy; and all at once, in what had been hitherto the most monkish country in Europe, the monks became the objects of the

most savage persecution on so many different points, that it seemed to be the result of a concerted scheme to drive them from the country by terror. On the 5th of July, an officer of the line belonging to a regiment stationed at Saragossa, attempted to prevail on his men to join him in proclaiming the constitution of 1812. The attempt failed; but the crowd, which it had collected and excited, proceeded to show their attachment to that constitution by attacking the convents. Five or six of these establishments were broken into, and pillaged or set on fire; and twelve monks were murdered in cold blood, before the authorities were able to suppress the tumult, or to prevail on the Urban militia, or national guard to restore order. That militia became a deliberative body. It forwarded an address to the government, demanding the suppression of all the convents in Saragossa—that the commission, employed in preparing the laws for the press, should hasten its labours—that the ecclesiastical commission should also proceed with all speed in their reports—the removal of all *employés* who did not conform to the existing order of things,—and particularly the dismissal of certain functionaries whose opinions displeased them. The municipality also sent up their addresses couched in similar language, while they soothed and flattered the populace. Before the government had been able to vindicate its authority, similar scenes took place in Barcelona on the 25th of July. The populace, displeased that the bulls produced in a bull-fight were not sufficiently savage to yield them the entertainment which they had expected, began to riot in the streets. Forthwith the riot selected

a new object; shouts were heard “to the convents—death to the monks;” and immediately the convents were attacked amid cries of “liberty and the constitution for ever.” In a short time the convents of the Augustines of the Order of the Trinity, of the Carmelites, of the Dominicans, and of the Minims were in flames. The conflagration was only a mode of attacking the monks. Nearly a hundred of these defenceless beings were murdered, some being poniarded, others beaten to death, and others hurled back into the flames, amid deafening exultations. The assassinations continued on the following day, some of the friars being put to death even in the hands of the military from whom they had sought protection. Some well-intentioned individuals among the Urban militia endeavoured to protect them; but many of that body were sharers in the deeds of the populace, and no attempt was made to disperse or restrain the mob by military force. The services of the military appeared to be confined to receiving within their barracks some hundred friars, who would otherwise have been murdered, and who now sought every opportunity of stealing out of a country where they had so long been all-powerful. Llauder, the captain general, who had been absent in consequence of an armed body of Carlists having entered the province from Arragon, returned to Barcelona on the 27th. He was not popular with the Urban militia, for they distrusted each other. He severely reprimanded the officers of the garrison in the citadel for their inactivity, and was said to have used the expression, that, from its heights, they might have battered

down the city-wards, which implied that he was not inclined to let Barcelona be lost, as Brussels; and Belgium had been lost to the Netherlands by allowing insurgents to remain unmolested, as the best means of restoring tranquillity. These threats having been spread abroad, the populace again rose with redoubled violence, shouting, "death to Llauder!" The general made his escape to Mataro in all haste; but finding there a new insurrection against the convents, with increased menaces against himself, he was again obliged to flee. This movement against the convents spread to other places in the province, but the monks had all previously abandoned them. General Bassa then marched into Barcelona with a small body of troops. The municipality requested him to retire, if he valued his life, or the tranquillity of the city. The populace rose, while he was still in the palace, forced their way in, and murdered him. His body was then thrown out into the square amid the huzzas of the mob, who dragged the corpse through the principal streets of the town in triumph. All this was ordered by the populace to be celebrated by a general illumination, the brilliancy of which was increased by several manufacturing establishments being set on fire.

The populace now found political leaders, and, in the apparent impotence of the government, any authority, however questionable its origin, which could preserve life and property, was desirable. The populace had appointed a military governor of their own. The municipality attempted to take the lead, but was pushed aside by more active spirits. At their demand the municipality

consented that twelve individuals should be appointed from the different classes of the nobility, merchants, lawyers, shopkeepers, and different companies of tailors, shoemakers, &c. Three individuals of each of these classes were chosen electors, and these afterwards chose the twelve who formed the auxiliary junta, which assumed the government. This junta, composed of members almost exclusively ultra-liberal, was installed on the 10th of August. It addressed a sort of manifesto to the queen, demanding instant and substantial reforms, denouncing the principles of the ministry as being destructive of liberty, calling for the immediate convocation of the Cortes to frame a new fundamental law in a more democratic spirit, but professing, at the same time, unalterable fidelity to her majesty's throne. In the mean time it exercised all the powers of government. It levied money, it discharged all public officers who did not possess its confidence, it dealt as it thought fit with personal liberty. It ordained that all the electoral districts of Catalonia should name as many deputies as they sent members to the Cortes, and that these deputies should assemble at Barcelona to form a provincial junta which might prosecute the task of reforming the government. To strengthen themselves still farther, they issued a proclamation to the neighbouring provinces, calling upon them to imitate the example of Catalonia, or applauding them for having already followed it.

At Saragossa, which had massacred its monks in the beginning of July, the political lesson, taught by Barcelona, was carried into practice without delay. A deputation

waited on the captain-general of Arragon, and told him that they purposed forming a junta or commission similar to that of Barcelona. They added, that the people desired to know whether he would put himself at their head; stating that if he did not, it was the intention of the citizens to deprive him of his command, and to manage matters themselves. The captain-general, making a virtue of necessity, complied with their request. On the 10th of August, the different classes of the inhabitants and the militia appointed a body of twenty-six electors, who again named a commission of nine members to act as the junta of Saragossa. The junta immediately ordered the suppression of all convents, and the dismissal of all unpopular functionaries, and addressed to the Crown similar demands, and similar professions of loyalty, with their neighbours of Catalonia. It proceeded likewise to order elections by the different districts of Arragon, in order to form a provincial junta. In Valencia, a band of Carlists had attacked the town of Villa Real, in the beginning of August, and put to death some of the Urban militia who fell into their hands. This intelligence excited a ferment in Valencia, where some prisoners were confined as suspected Carlists. It was found necessary to call out the militia: they joined their voice to that of the people, and called upon the captain-general to punish the Carlist prisoners. The Count de Almodovar, late president of the Procuradores, was appointed by the captain-general, who was indisposed, to act for him, and succeeded in partially restoring order, by promising that the Carlist prisoners should be brought to trial. This promise was immediately ful-

filled, and seven of them condemned and shot the same day. No attack was made on the convents or monasteries; and Valencia seems to have remained tranquil, till roused by the address of the junta of Barcelona to the neighbouring provinces. Count Almodovar, as captain-general, immediately issued a proclamation, declaring his full concurrence in the views and wishes of the Catalonians, as the means of insuring the throne, accelerating reform, and consolidating liberty. A junta was formed, of which Almodovar was the president, and its first act was to suppress the monasteries.

Cadiz followed the example of Valencia. It formed its junta, which assumed the powers of government, and closed the convents; but there was no bloodshed, though there was some disturbance. The monks were allowed to retire peaceably, wherever they thought proper. Malaga marched in the steps of Cadiz, but went farther, demanding the constitution of 1812, and the convocation of a national convention. The Balearic islands were too near Valencia and Catalonia to escape the contagion. They were governed by a junta installed at Palma, and there, too, as elsewhere, their assumption of power was announced by the expulsion of the monks and the suppression of the monasteries. In the extreme north, again, Galicia manifested the same spirit. Its junta was installed at Corunna, and demanded of the queen the following points:—"1. That your majesty will be pleased to give a favourable reception to the petitions proposed by the Estamento of Procuradores, and more particularly to that which solicited the declaration of the civil rights of Spaniards. 2. That in con-

sideration of the extraordinary and critical circumstances of the nation, you will convoke the General Cortes of the kingdom. 3. That you will submit to the Cortes an election law consistent with the principles of public right, and suitable to the nation. 4. That, in the meanwhile, in anticipation of the meeting of the Cortes, the dissolution of the religious orders be granted." Unless those terms were complied with, and more patriotic citizens called to her councils instead of the suspected men who now directed them, the junta declared that it would not answer for obedience being any longer yielded to the government.

Thus, by the end of August, Spain was in a state of political anarchy. These different provinces had set up each a government for itself, which set at defiance the general government of the government, and usurped the powers of the executive. The confederation of Arragon, Catalonia, and Valencia into a republic, was openly recommended. The government at Madrid was helpless. On the 10th of August it issued decrees, calling on the public authorities throughout the kingdom to suppress by force every attempt at riot and disorder; threatening that those functionaries, who might act with weakness, would be immediately dismissed; prescribing measures for the prevention of riotous meetings; and pointing out the penalties to be inflicted on persons forming part of any assemblage that did not separate after the proper legal summons. But in the provinces there were no means of enforcing these decrees. The execution of such orders implies the regular and unresisted operation of the law; they are useless in a state of things

which consists in an organized and successful opposition to the law. The enemy was in Madrid itself: surrounded by conflagration, the capital, which contained so much inflammable material, could not escape unscathed. On the 15th of August, encouraged by the success of the malcontents in Arragon and Catalonia, the Urban militia of Madrid openly revolted. They appointed a commission, in which they named some opposition deputies, to convey their demands to the queen. They put forth a manifesto, in which they declared that they would not lay down their arms till they had accomplished the overthrow of the ministry, which, according to them, was encouraging the Carlists, and filling the country with anarchy. The revolted militiamen maintained their post till next day; but the garrison remained faithful; it was marched against them, and they immediately disbanded without a shot having been fired. The queen regent then returned an answer to their demands in the shape of a decree, which declared Madrid to be in a state of siege, and placed it under military law. An ordinance was likewise issued, increasing the rigour of the restrictions to which the press was subjected. Some of the leading radical members of the Chamber of Deputies, who were suspected to have lent themselves to this attempt, either, in its origin or in its progress, quitted the capital for those provinces where the progress of sedition had already given to it an organized and efficient form.

The royal decrees in no respect diminished the boldness and determination of the juntas. On the 3d of September, the queen made a last trial of what strength re-

mained to the executive, by an ordinance which wanted nothing to attain its object except the power of compelling obedience. This ordinance declared all the juntas illegal, as being in violation of the fundamental laws of the monarchy; it declared them to be dissolved, and annulled all their acts. Disobedience to these provisions was to be punished as treason; and all public functionaries, in places where the junta should refuse to comply with the decree, were ordered to withdraw to some spot where they would be at liberty to obey the government. It was declared, that the members of the juntas would be held personally responsible for all money which they raised, and that no payment of taxes to them would protect the debtor from paying a second time to the government. The juntas knew that it depended on themselves whether the ordinance should be enforced, and therefore disregarded it. The juntas of Cadiz voted Toreno guilty of treason for having advised it. That of Barcelona immediately formally superseded the royal authority, directing that all the civil and military authorities of Catalonia should be subject to its orders, as the supreme government, till the arrival of deputies from the other provinces to decide on a form of government. At Valencia, it was resolved to put the towns into a state of defence; to contract for arms; to communicate with Barcelona and Saragossa, for the purpose of combining the operations of the three provinces, in order that they might assist each other in case of need. Andalusia was in arms. Las Navas, one of the deputies for Seville, and one of the most extravagant members of the opposition, had retired into

Andalusia on the failure of the attempted revolt of the Urban militia in Madrid. Under his auspices a junta was speedily formed, and it was resolved to have recourse to open war. Malaga, Cadiz, Seville, and other towns, furnished each its contingent from the Urban militia: some of the regular troops joined them; and Las Navas, at the head of a considerable army, which increased as it advanced, began his march upon Madrid. Political associates, who it was thought would have influence upon him, were sent to remonstrate with him: he put them under arrest; and the troops, which were sent to disperse his army, joined the rebels.

The outcry against the prime minister was always accompanied by prayers for the appearance of M. Mendizabal, the minister of finance, who had not yet returned to Spain to enter on the duties of his office. He had borne a share in settling the new constitution of Portugal: it was believed that by his vigour he would control the ministry, and that his opinions, as well as his prudence, would secure large concessions to the popular demands. In 1808, when all Spain was in arms to resist Napoleon, M. Mendizabal, then a young man, had attached himself to the commissariat. His activity attracted notice; and after rising to the commissariat of a division of cavalry, he was called to the head-quarters of general Freyra, and placed at the head of the provisioning department of the whole army. In this important post, amidst circumstances of the greatest difficulty and danger, he evinced great command of resources and much determination. He was twice taken prisoner, and on the first occasion exchanged for a superior officer of

the French staff. The second time the French general refused to listen to any terms for his liberation, and subjected him to a rigorous confinement in the Alhambra of Granada. He escaped, and re-appeared at his post. At the end of the war, Mendizabal left the army; and, on the fall of the constitution, in 1823, emigrated with others of his countrymen. In London, after being long in the King's Bench prison, he contrived to get into his hands a considerable portion of a large sum, which was in the hands of an agent of Spain; and he applied it in aid of Don Pedro's operations against Don Miguel. From that time, he had been principally resident in England, as a recognized financial agent of the Portuguese government. Although his name was not known in Europe except as an adventurer and jobber, he enjoyed a reputation in Spain and Portugal, for great energy and firmness amid difficulties and dangers; and to him Spain now looked to put a stop to the progress of anarchy.

On the arrival of M. Mendizabal at Madrid, in the beginning of September, he declared against the system of repression which the government had been desirous to adopt, without possessing the means, and in favour of compliance to a considerable extent with the popular demands. Count Toreno resigned; and Mendizabal was authorised by the regent, on the 14th of September, to form a new cabinet. In a memorial to the queen, the new minister, at the same time, stated in general terms the policy by which he was to be guided. "A strong, homogeneous, and, above all," said he, "a responsible ministry, being constituted—a ministry strength-

ened by the sympathies and support of the national representation—the government of your majesty will have to dedicate, simultaneously and indefatigably, its exertions and cares to bring to a speedy and glorious end, without any other than national means, that fratricidal war, the shame and disgrace of the age in which we live, and revolting to the feelings of the nation; to settle at once, and without degrading them, those religious corporations whose reform is necessary, in accordance with the public interest; to commit to wise laws all the rights which emanate from, and are, so to speak, the sole and steady support of the representative system; to re-animate, invigorate, or rather to create and establish public credit, the wonderful force and magic power of which may be studied in prosperous and free England; in short, to succeed in reconciling with the prerogatives of the Crown, the rights and duties of the people; for without this equilibrium all hope of public felicity is delusive. These laws will raise and complete, as I have promised your majesty, the majestic edifice of our legal liberties, and elevate the nation to that degree of glory, greatness, and power, which Great Britain owes to the principles contained in her Magna Charta, and her celebrated Bill of Rights. In this way alone, Senora, can I acquit myself of the arduous discharge of the vast obligation I have contracted; and it is only by all submitting to the sacred empire of the laws, and by exerting the efforts sanctioned by them, that we shall very soon be able to exclaim, "The country is saved, and with it the throne of Isabel II, and its legal guarantees." M. Mendizabal did not formally assume the offices

which gave the character of prime minister. General Alava was made president of the council, and secretary of state for foreign affairs. The ministry of the interior was given to Martin de los Heros, who enjoyed a considerable literary reputation, and had borne an active part in all the constitutional struggles. Becerra, a distinguished lawyer, and who had been compelled to emigrate, as having been a member of the Cortes in 1820, was placed at the head of the department of justice. Ulloa, member for Cadiz in the Chamber of Deputies, was made minister of marine, an office which he had held under the first administration of the regent. Almodovar, a general and president of the Chamber of Deputies, who had published and approved, at Valencia, the address of the junta of Barcelona to the neighbouring provinces, received the department of war. M. Mendizabal retained for himself only the finances, but he was the soul and essence of the ministry. On the ministry being completed, a decree was issued convoking the Cortes for the 16th of November, to frame a new electoral law, under which a new legislature might be convoked, in order to revise and amend, on more liberal principles, the royal statute, or charter of the preceding year.

These changes produced a rapid and most beneficial effect on the state of the country. The junta of Galicia immediately dissolved itself, declaring that they renounced their title and authority now that the government had identified itself with their feelings and language. The junta of Cadiz became equally obedient, justifying its formation on the ground of necessity, created by the ruinous con-

duct of an immoral and disorganizing ministry. At Valencia, the new minister of war, who, after being placed at the head of the junta, had found it necessary to seek refuge from the violence of his associates on board an English vessel, succeeded in regaining his authority, and in securing the accession of the province to the new government of which he himself was to form a part. Las Navas, at the head of his army of Andalusia, was more reluctant to submit on the faith of the good intentions of the cabinet now formed. He demanded, in addition to the convocation of constituent Cortes, that all that the juntas had done should be approved of, and that the juntas themselves should be continued as bodies for defence, till the extermination of the rebels; that the decree of the 3rd September against the juntas should be revoked, as being a decree against the whole nation, and that Toreno should be detained to answer for his conduct; that the army of Andalusia should be allowed to remain on foot, and employed in forming and drilling new corps. These terms he sent as his ultimatum to Madrid, and, in the mean time, continued his march, levying from the towns through which he passed the contributions necessary for the support of his army. His terms were rejected; he himself had sense enough to see that his enterprise, which might have promised something, while so many other provinces were equally usurping the powers of the executive, was hopeless now, when public opinion had been reconciled to the government. The junta of Seville gave in its adhesion to the new order of things; Las Navas abandoned his military career, and proceeded to Madrid as

an individual. The juntas likewise of Saragossa and Barcelona professed their satisfaction with the hands to which the state was now entrusted and the measures which were promised, and gradually allowed the regular authorities of the country to resume their powers.

These effects were greatly aided by the measures which the new ministry proceeded to adopt. The leading demands of the juntas had been, a new electoral law, liberty of the press, and the abolition of monastic orders. No change could be introduced in the electoral law, till the Cortes should be assembled; but a commission was named to prepare a plan to be proposed to the legislature, and among the members of this commission were several liberals of the *exaltado* party. On the 9th October, a royal decree appeared, which, after stating that a permanent law regarding the press could emanate only from the Cortes, declared, that, in the mean time, instructions had been given to the censors to allow unlimited examination of the conduct of ministers, and to prohibit the publication only of those writings, "which contain anything offensive to our holy religion or public morals, or which may be meant to support and encourage our irreconcilable enemies, or such articles as may lead to personal recriminations, or to coarse and indecorous discussions, or which tend to disunite the defenders of the throne of our innocent Queen Isabel II.; or which ultimately might with rash audacity attempt to disparage the high character, the continued goodness, and generous sentiments of the queen regent" — generalities which required the liberty of the press to depend on something else than the words of the law. On the

11th October another decree was issued, declaring all monasteries of monastic orders to be suppressed, whatever number of monks or religious persons they might contain. The Benedictine monasteries of Montserrat in Catalonia, of St. John de la Pena, and St. Benedict of Valladolid; the monasteries of the Escorial and Guadalupe, belonging to the order of St. Jerome, and two other religious houses, were excepted, under a prohibition, however, against receiving any new members, or even allowing those, who at present were novices, to profess. The monks of the suppressed monasteries were permitted to remove into these excepted establishments, if they belonged to the order, and if there was room for them. The preamble of this decree bore that it proceeded, among other grounds, on what the late king, in accordance with the Cortes, had determined in regard to the same matter in 1820; and shortly afterwards, an ordinance was published reversing the attainer and rehabilitating the memory of Riego, who had perished on the scaffold for the votes which he had given in that legislature. A commission was named to consider the best mode of terminating the dispute with the South American States. A commissioner had arrived from South America for the same purpose early in the year, and it was admitted that the time for adopting a final resolution had now come. Another commission, the object of which was to inquire into the condition and operation of the revenue laws, and the causes of smuggling, seemed to promise financial reform on principles which were still new in Spain. The decree appointing the commission set forth, that, from want of a proper

knowledge of the intimate connexion of finance with the administration and the legislative sciences, the fountains of public wealth had been obstructed, imposts had been established, which, being opposed to individual interests, provoked fraud; and a fatal determination to maintain such errors by force had given birth to a penal code, arbitrary in its proceedings, and atrocious in the punishments inflicted on transgressions, which proceeded rather from mistaken conceptions than from the perverseness of the accused parties.

To M. Mendizabal, as to all his predecessors, the war in the northern provinces was the dangerous stone of offence. Its uncertainty, and the alarms lest despotism should be re-established, to which that uncertainty furnished materials or pretexts, had been prominently put forward by the juntas as one great feature in the public crisis, which demanded that the country should act for itself. The new ministry had disclaimed the idea of foreign intervention; to supply an army and the means of maintaining it, they resolved to endeavour to rouse the pride and spirit of the nation to voluntary exertions. The regent led the way, by a decree of the 10th October, authorizing the levying of three battalions of infantry, to be armed, equipped, and maintained, so long as the war continued, out of the sum allowed to her majesty as queen dowager and regent. The example was not altogether lost; voluntary contributions to a considerable amount were sent into the treasury. The minister, however, was too experienced a person to trust to such sources which are almost always scanty,

and are never perennial; although they were useful as manifestations of a spirit which would secure acquiescence in demands regularly made. In the end of October a decree was issued, intended to raise at once a large army and a large sum of money. Every man between the ages of eighteen and forty was called out, in order to form immediately an army of 100,000 men, and every man liable to serve was allowed to purchase an exemption by paying 4,000 reals or 40%. The levy could not be carried into effect in Catalonia, Navarre, and the Basque provinces, which were the seat of the war; this reduced the 100,000 to 81,373. Of these about 47,000 men had been raised, and embodied before the end of the year; 3,704 had purchased exemption, thus yielding to the treasury nearly 150,000%.

On the 12th of November the Cortes held their preparatory meeting. By the royal statute, the government had the power of appointing the civil governor of the province and his secretary to act as temporary president and secretary of the Chamber. The government on this occasion waived its privilege, leaving the election of these officers to the deputies themselves. The choice fell on Izturitz, one of the deputies of Cadiz, for the chair, and Caballero, the secretary of the preceding session, for the secretaryship. Both of them belonged to the ultra-liberal party, and they were opposed by a large minority, among whom were the late ministers; but they were both re-appointed after the formal opening of the session, which took place on the 16th of November, by the queen regent in person. In the speech

which she delivered, her majesty, after adverting to the readiness with which the parties to the quadruple alliance had granted all the assistance that she required, and the amicable relations that subsisted between her and other foreign powers, spoke thus of the internal state of the country.

“I have placed my confidence in the ministers who are honoured with that of the nation. If the representatives of the Spanish monarchy, who at this moment surround the throne of my beloved daughter, favour them equally with theirs, I hope that, without new loans or an augmentation of the taxes, resources will be found, not only to terminate the war of the factious, and to prove sufficient for the other obligations of the state, but also to ameliorate the lot of its creditors, national as well as foreign, and to place public credit on a solid basis.

“The fidelity of the valiant army of my august daughter, sufficiently proved in the vicissitudes of the cruel war in the north, and by its constant adherence to the cause of the nation, are beyond all praise; it suffices to say, that it has worthily sustained the name of the Spanish army. The benefits, which I have conferred on it, have been just and merited; although they, by the straitened circumstances, have not come up to my wishes. There is only one which satisfies my desires, and it is the erection of a hospital of invalids, an establishment worthy of a beneficent and warlike nation.

“The urgent necessity of terminating promptly the civil war will cause an increase beyond the ordinary limits of the army, augmented as it already is by foreign auxiliary forces, whose valour and

excellent discipline give rise to the best hopes. The sacrifice will be great, although momentary; but the equality, with which the enlistment has been arranged, has already been approved of by the nation, always essentially a friend to justice. The proofs of enthusiasm and of disinterestedness which I daily receive from all classes of the state, demonstrate that, for Spaniards, there is no task too arduous or costly, when the defence of the throne and of the country is at stake.

“I have thought it proper to give to the portion of the nation armed in the defence of internal order, and moveable in case of necessity into active service, the name of ‘national guard,’ which name seems to express with more exactness the object of such a salutary institution; its regulations require some modifications, which shall be proposed to you.

“Three most important projects of law will be presented to your deliberation—that of elections, the basis of the representative government—that of the liberty of the press, which is the soul thereof—and that of the responsibility of ministers, which is the complement thereof, insuring, and at the same time rendering compatible, the inviolability of the monarch and the rights of the nation.

“In the judicial department, many abuses have disappeared, and there has been established a regular and uniform system in all the proceedings of the tribunals. The efforts of zeal and ability, which are continually directed towards the labours of preparing and arranging the new codes, and the regulation of the clergy, of whom the commission, composed of prelates and of other individuals, replete with virtues and with information,

will not cease its labours until the objects are accomplished. A project of law will be laid before you for establishing in a decent manner the lot of the regulars." Her majesty informed the Cortes that she could not yet lay before them any budget of income and expenditure. Many modifications would require to be introduced into the financial department, before the government would be able to present a complete system of financial administration. When the amount of the receipts under the influence of these modifications, and the sum of the expenses, ordinary as well as extraordinary, should be known, the estimates would be stated with all due exactness, which, in the present circumstances of the nation, it was impossible to do. She believed her government to be deserving of this confidence, and the Cortes would not extend it further than they might think proper.

Both Chambers unanimously voted addresses which were an echo of the speech. In the Chamber of Deputies, neither Toreno, nor Martinez de la Rosa, took any part in the discussion. The principal topic of remark was the allusion in the speech to the necessity of passing a vote of confidence in the government, by giving the supplies generally without any estimates or appropriation. Some members of both Chambers did not think it necessary to any extent; others wished that it should be limited to a precise period. The matter was subsequently brought more distinctly before the legislature in the project of law presented by the ministry to the Chamber of Deputies, on the 21st of December, for the purpose of giving effect to

this confidence. The proposed bill provided, 1. That the government should be authorized to continue in the receipt, for the year 1836, of the rents, taxes, and contributions specified in the law of the 26th of May preceding, and, without altering their essential characteristics, that a trial should be made of the alterations which might seem convenient in the system of administration and collection, for the purpose of increasing the produce and diminishing as far as possible the burthens and the injurious consequences arising therefrom to the tax-payers and to trade, applying the produce to the expenses of the state, without the power of increasing them. 2ndly. That the government should be authorized to adopt such measures as it might deem necessary for the more complete organization of the armed force, and for the attainment of the great object of bringing the civil war to a speedy termination, but without any power of accomplishing that purpose by means of new loans, or by the alienation of the property of the state, which was destined, or was hereafter to be destined, to the consolidation and redemption of the public debt. 3. That in the next legislature the government should present the budgets of 1836, and render an account of the use which had been made of these extraordinary powers.

The bill was referred to a committee of nine members, who reported unanimously in its favour, with some unimportant verbal alterations. They stated that they had requested, and had received, various explanations from the government, which convinced them that, however much they might lament the necessity of the Cortes

forbearing to exercise one of its most important functions, the sacrifice could not be avoided, without compromising the existence of the government and the destinies of the nation. The limitations contained in the bill itself, preventing recourse being had to the ruinous expedient of farther loans, or to the national property which was pledged to the national creditors, would be sufficient guarantees for the public interest; and as the convocation of the next Cortes under a new electoral law could not be far distant, the government, which had already shown itself so deserving of confidence, would be under no temptation to abuse these extraordinary powers, of which an account must so soon be rendered. After several days debate the bill passed the Chamber of Deputies, without alteration, in the first days of 1836. Several members urged strongly the necessity of the Chamber knowing something of the intended financial plans of the government; but M. Mendizabal did not deem it prudent to disclose them, and declared that the passing or the rejection of the bill would determine the fate of his administration.

Before applying for these extensive discretionary powers, the ministry had strengthened the grounds on which they were demanded by bringing forward the new electoral law. The bill fixed the qualifications of an elector as follows: 1. It was required that he should be twenty-five years of age, and either born within the kingdom of Spanish parents, or of a Spanish father, if born out of the kingdom. 2. That he should be one of the inhabitants of the province who paid the highest amount of taxes, at the rate of 100 for each deputy:

This list of 100 principal taxpayers being formed, there were to be added to it all those who paid taxes, equal to the amount of those paid by the lowest upon the list, and these also were to be electors. 3. All persons exercising the following professions and employments—namely, advocates, assessors, fiscal officers, doctors in medicine, surgeons and apothecaries in full practice, doctors in law, licentiates, and registrars of the royal courts, those of the economical societies, of the friends of the country, professors in the sciences, literature, and the humanities, with the exception of the professors of foreign languages and elementary teachers, were declared to be electors. Likewise all persons enjoying a retired pension, or half-pay of any public employment, amounting to 10,000 reals, or 100*l.*; retired officers of the army, navy, or militia; and officers of the national guard of the rank of captain and upwards. The lists of electors were to be made out by provincial deputations, after consulting the municipal bodies, and were to be annually exposed to the public in the month of July, all complaints being brought before the provincial deputations, from whom there was to be an appeal to the council of state. In electing, every elector was to write, or cause to be written, a bulletin containing as many names as there were to be deputies for the province, with an equal number of supplementary names, and further, the name of the commissary for the district. The election being concluded, the commissary of the district was to proceed to the capital of the province with the minutes of the election, and there the votes for the

provincial deputation and the commissaries were to be examined. To be elected a deputy, it was required that the candidate should have an absolute majority of the whole number of votes. There was to be a second ballot for all those who did not obtain this majority. To be elected a deputy, or supplementary deputy, on a second ballot, a simple majority of votes over the other candidates was sufficient. The qualifications for being a deputy were:—1. To be a free Spaniard, and of the secular order. 2. To be twenty-five years of age. 3. To be the head of a family, and keep a domestic establishment. 4. To possess an annual income of 6,000 reals, (60*l.*) or a capital of 240,000 reals, (2,400*l.*) in landed estate, in stock in the Spanish government funds, or placed in commerce or industry ; or to live honourably and independently by the exercise of the profession of an advocate, a doctor in medicine, or in law or in letters, or to be a professor in the sciences or fine arts, provided the annual income derived from these professions could be estimated at 10,000 reals, (100*l.*) or, finally, be receiving from the royal treasury a sum of 14,000 reals (140*l.*) per annum, either as a salary or as a retired pension. The functions of a deputy to the Cortes were declared to be gratuitous and voluntary ; and every deputy, upon whom the government should confer any employment with a salary, vacated his seat, but was capable of being re-elected. The same qualifications were required in the supplementary deputies as in the principal deputies. They were to enter upon the exercise of the functions of Deputies—first, in cases where one deputy was elected for several places, and made

his option to sit for one of them, secondly, in case of the decease of the deputy ; and thirdly, in case of his resigning or otherwise vacating his seat. The number of deputies was to be one for every 50,000 of the population. The laws, likewise, regarding the liberty of the press, and the responsibility of ministers, were presented to the Chamber, and referred to committees for examination.

In the mean time, the military operations of the contending parties in the field had enlarged the scene of the contest, though its desultory and indecisive character remained unchanged. Hitherto it had been confined to Navarre, Guipuscoa, and Biscay ; it now raged in Catalonia, Arragon, and Valencia. The failure of all attempts against the Carlists in the former provinces encouraged their friends in other parts of the kingdom ; and the confusion, which the usurpations of the juntas threatened to produce, was most favourable to their designs, although a dread of these designs was made a principal pretext to justify that usurpation. When the main body of the Carlist army retired from Bilboa, on the death of Zumalacarregui, a division of about 1,500 men was despatched to make their way through Arragon into the upper parts of Catalonia, where they had many adherents prepared to join them. So soon as their march was known, a body of the queen's troops under general Garrea followed them in haste through Arragon, while Pastor, whom the populace had now placed at the head of the military, in Barcelona, was directed to march towards the same point. It was hoped that any reverse would thus bring upon them utter

ruin; as the success of the Catalonian commander would drive them back upon the army of general Garrea. Guergue, however, who commanded the Carlist division, so conducted his march, that these expectations were disappointed. He entered Catalonia in safety, and proceeded towards the strong and mountainous part of the country in the direction of Urgel. Bands of adherents immediately sprung up in different parts of the province; and their number was increased by the influence of the count D'Espagne, who evaded the vigilance of the French police, to whom he was said to have given his parole not to enter Spain without their permission, and who now appeared on the scene as an active partisan. Then there followed a series of unconnected skirmishes, surprises, and butcheries, still more indecisive and uninteresting than those which had so often occurred in the northern provinces, where the masses of men were much larger, and the movements sometimes presented features of military combinations. The numerous divisions, in which the Carlists shewed themselves, harassed and perplexed the queen's troops, and the principal object gained by the former seemed to be, to give occupation to a royal army which might otherwise have been sent into Biscay or Navarre. Although they appeared in scattered bands on different points of the province, the main body of their force, and their chief scene of action, was in the north-eastern corner of the province, from Vic and Gerona to the French frontier. Sometimes a part of them was compelled to seek refuge across the French frontier; sometimes they spread alarm even to

Barcelona, occupying the whole coast so as to cut off all communication. Mina, who had been named captain-general of Catalonia on the accession of the new ministry, assumed his office about the middle of October. In the following month, he marched, at the head of about 4,000 men, to relieve the Conca de Tremp, a small town near the frontiers of Catalonia and Arragon, which the main army of the Carlists had invested. The latter, on his approach, retired towards Gerri. At the same time, another royal army was advancing from Arragon; and Guergue was exposed to the danger of having his retreat upon Navarre, through Arragon, cut off, and being forced back upon France where he would be disarmed. He began his retreat, however; crossed Arragon, after an engagement in the neighbourhood of Huessa, in which he lost, according to the statement of his opponents, 400 men, and regained Navarre. Mina likewise succeeded, towards the end of December, in taking the town of St. Lorenzo, and the count D'Espagne had previously been again driven into France.

In Lower Arragon and Valencia, where the chief command of the Carlists was assumed by a leader named Cabrera, the same uninteresting system of warfare was pursued. They were frequently compelled to acknowledge the superiority of the queen's troops, but were never completely defeated, and always re-appeared, after a check, as obstinate as ever, as troublesome, and not less numerous. On the 12th of December, the Carlists cut off a division of the royal army commanded by general Palarea, in the neighbourhood of Soria, and took several

hundred prisoners. When this intelligence reached Madrid, Palarea was ordered to resign the command. The courier had scarcely left the capital, when a new dispatch arrived from Palarea, announcing that he had again engaged the rebels on the 15th near Molina de Arragon, had defeated and dispersed them with the loss of 400 men killed, and had retaken a considerable number of his own troops, whom they had made prisoners three days before. A second courier was immediately despatched to request the general to retain the command, which, the day before, he had been ordered to resign.

In the north, the contest presented a new feature, in the appearance of the British auxiliaries in the field. These troops, recruited in Britain for the Spanish government, arrived at different times during the month of July at Santander and St. Sebastian. There they were drilled and equipped till towards the end of August, and formed a legion said to amount to 8,000 or 9,000 men, under the command of Evans, a lieutenant-colonel in the British service. The Carlist army, when it abandoned the bombardment of Bilboa in the beginning of July, did not retire entirely from the neighbourhood. The Navarrese division returned into its own province, concentrating round Estella to watch the principal royal army under Cordova, who tranquilly maintained the line of the Ebro, in the neighbourhood of Logrono. The Carlists of Biscay still maintained their positions near Bilboa, intercepting the communication between it and the sea, and ready to seize any advantage which might present

itself. The insurgents of Guipuscoa again, under the command of Segastibelza, invested St. Sebastian, and cut off, in this direction, all communication with France. It was in the neighbourhood of this fortress that the British recruits first came into contact with the Carlists. On the 30th of August, part of them, along with a body of the irregular troops commanded by Tauregni, or El Pastor, attacked some advanced positions of the Carlists, or, as it was expressed in the order of the day, to make a reconnoissance in order to see what progress the enemy had made with their entrenchments. It appeared that the Carlists, by abandoning their entrenchments on a particular part of the heights, drew the reconnoitring force farther on than was intended, and then attacked them. The British and Spanish troops did not regain the fortress without sustaining a heavy fire and some loss. The British recruits had twenty-five men wounded, among whom were four officers, four men killed, and four made prisoners. The Spanish portion of the force had six men killed and ninety-three wounded. About the same time, an affair took place, on the 2d of September, at Los Arcos, between the Navarrese army and the principal royal army under Cordova, near Loyrono. The royalists claimed the victory and 150 prisoners, stating the enemy to have lost 160 killed and 400 wounded, and admitting on their own side, a loss of 120 wounded, besides the killed. The Carlists, on the other hand, stated the loss of the royalists at 300 killed and 104 wounded.

The Carlists immediately strengthened their army in Biscay, and threatened Bilboa with a new

attack. In consequence of such an attempt having been apprehended, the royal army of reserve, under generals Espartero and Espeleta, had entered Bilboa, and the greater part of the British auxiliaries had been brought by sea from Santander and Sebastian. The Carlists did not venture to assault a garrison so reinforced, but maintained their positions in the neighbourhood. The presence of the army of reserve being no longer thought necessary, Espartero and Espeleta set out on their march to the southward on the 11th September. The Carlists, informed of the intended movement, took possession overnight of a difficult part of the road, and the village of Arrigoriaga, within a league of Bilboa, where the enemy must necessarily pass. They cut up the road, and fortified themselves in the houses, stationing parties in the woods and ravines. The royalists advanced with the intention of forcing the passage, but were thrown into confusion by the fire opened upon them from behind. Part of the garrison of the town, and some of the British battalions marched to support them. The royalists, however, were compelled to give way, and were beaten back into the town, suffering severely from having to cross a narrow bridge in their rear, and having partly been compelled by the Carlist cavalry to take to the river itself. The queen's troops had nearly 300 men wounded, and upwards of 100 taken prisoners: the number of killed was not stated, but in all these encounters it generally bore a very small proportion to the wounded, in consequence of the practice of the Carlists to fire at long distances.

The communication between Bilboa and Cordova's army to the south of Vittoria was thus again cut off. In the end of October, Cordova marched from Logrono, to attack the Carlist divisions posted in the neighbourhood of Vittoria, near Salvatierra. On his arrival at Vittoria, one part of the enemy retired to Salvatierra and the other to Segura. On the 27th, he assaulted, and according to his account, defeated, the first division, and he entered Salvatierra. As generally happened, however, after these victories, he began a retrograde movement towards Vittoria the very next day; the Carlists, greatly reinforced, as was stated, having advanced to engage him in their turn. They attacked him on his march. The royalist commander claimed another victory, with a loss to the enemy of 700 men in killed, wounded, and prisoners, and stated that, after fighting all day, he made "a triumphant entry" into Vittoria; but he added, that he had found it necessary to blow up the bridges, and that the enemy's army was concentrating around him. To meet this danger, it was determined that the army of reserve, and the British auxiliaries should quit Bilboa, and join the main army under Cordova on the Ebro. By taking a less direct line of march, they avoided, on this occasion, the danger which had formerly been incurred, and reached Vittoria in the beginning of December. The united forces maintained their position upon the Ebro till the end of the year, without undertaking any active operation.

The Carlists of Guipuscoa continued the siege of St. Sebastian, but without much prospect of reducing so strong a fortress; the garrison

of which was equal to the besieging army, and contained a detachment of the English legion. The shot and the shells of the besiegers only damaged the town and the property of the citizens. They made themselves masters, however, of Guetaria, a small seaport between St. Sebastian and Bilboa, and bombarded the citadel, into which the garrison had retired, and which they continued obstinately to defend.

We have mentioned, that when the Spanish government applied for more active assistance to the powers who were bound by the quadruple alliance, Portugal engaged to furnish a body of troops; and a convention had been signed between Spain and Portugal in September, by which the number was fixed at 6,000 men. It was not, however, till the end of November that they crossed the Spanish frontier, and they bore no part in the events of the year.

In the opposite quarter of the Peninsula, PORTUGAL exhibited during the year a more peaceful and prosperous picture, although it presented likewise what will occur in every free state,—the contests and intrigues of political parties for power and place. The Cortes met in ordinary session on the 2nd of January, and continued in deliberation till the 22nd of April. The opposition in the Chamber of Deputies was strong in point of numbers, and was led by the marquis of Saldanha, whose high reputation in the field was not equalled by his talent or tact in the cabinet; but the two parties did not seem to be separated by any radical difference of creed as to the essential principles of government; they were both equally attached to and interested in the

new order of things: neither of them was suspected to be more inclined than the other to favour the designs or the partisans of Don Carlos. The marquis, and thirty other opposition deputies, addressed themselves to the nation, by publishing a sort of *compte rendu* of their grounds of resistance to the ministry. They approved of the abolition of the tithe system, as a measure beneficial to agriculture, and called for by the enlightened spirit of the age, but they condemned the government for not providing for the support of the clergy, and of the several literary and pious establishments which had depended upon that fund. The abolition of the excise and the suppression of the monasteries, in like manner, elicited their approbation; but they blamed the government, in the former case, for not finding some substitute for the support of the foundling hospitals, and, in the latter, for not having respected the rights of private property; many monks having been arbitrarily despoiled of government bonds, belonging to themselves personally, and not to the community. They asserted moreover, that no account whatever had been taken of the immense spoil in gold and jewels seized from the convents. They complained that all the most lucrative offices had been distributed among the creatures of the government, and that even Miguelites were employed, to the exclusion of those who had fought and bled for the queen, while the convention of Evramonte, which saved and pensioned Don Miguel, had disgusted the army. The same members, shortly after the meeting of the Cortes, moved an address to the queen, praying her majesty

to dissolve the Chamber, on the ground that, although the ministry had a majority, it was so small a majority as to render it desirable that the people should have the power of returning a legislature which would give a more decided preponderance to the one party or to the other. The motion was of course rejected; and even before it came to be discussed, Saldanha had done all in his power to shew that the distribution of offices was the real gravamen of the charges against the ministry. He accepted the part of ambassador to the Court of France from the government, in opposing which he was the parliamentary leader; but new events prevented him from setting out upon his mission.

The principal object of attention in the Cortes was the financial state of the country, and the reduction of the public debt, or its conversion into securities bearing a lower rate of interest than was now paid. The fund, which was principally looked to for accomplishing these objects, was the national property, consisting almost entirely of that of the church and the monasteries. In addition to the provisions made in the previous year, an act was passed regulating the sale of the great mass of those properties which still remained. As the object in view was to apply this property to the liquidation of debt, it was provided that bonds of the Portuguese British loans, or of the five and six per cent internal debt, should be taken in payment of the price at par. Certificates of arrears of pay due to naval and military men, and other public servants, were likewise to be taken in payment; and an amendment of the peers placed the three and four per cent domestic stock on the same footing

with the five and six per cents. In order to subdivide the property into many hands, and enable industrious people, with reduced means, to become purchasers, parties were to have the option of paying twenty per cent cash down at the time of purchase, sixteen years being allowed them to pay the remaining eighty per cent. in equal instalments, liable to the charge of interest, at the rate of two per cent. per annum. The public sales of any property, the value of which should not exceed two contos, or about 500*l.*, might take place on the spot. Those of property worth more than that sum were to take place at Oporto and Lisbon, according to the particular province in which they happened to be situated; foreigners and natives might equally purchase. If any person was desirous of buying a particular property, the sale of which had not been advertised, he had the power of calling on the prefect of the province to inquire respecting its valuation, and to demand that it should be forthwith put up for sale. A clause was likewise inserted in the bill to prevent the accumulation of property by means of entails. The property which was thus rendered available for public purposes, was stated to amount to upwards of fourteen millions sterling. The first sales took place in July, and consisted of houses in Lisbon which had belonged to religious communities. They brought nominally prices nearly double of the very moderate price which had been put upon them; but the sales paid for in money did not amount to one-seventh of the whole; the rest were paid for in certificates of arrears of pay due to public servants.

The budget of the year, from 1st July 1835 to 30th June 1836, as brought forward by the Minister of Finance, stated the expected receipts at 8,420,257,408 milrees, and the expenditure at 12,744,161,266, being a revenue of about 2,200,000%, and an expenditure of more than 3,000,000%. The items were stated thus :

RECEIPTS.

Taxes, direct and indirect	7,242,470,679
—— called Proprios	617,686,729
Agio on the paper money	240,000,000
Interest on the British loan of 1823, which is to be received from the Brazilian Empire	320,100,000
Total	<u>8,420,257,408</u>

CHARGE.

Royal Household	450,800,000
Legislative Chambers	72,000,000
President of the Council of Ministry	4,800,000
Department of the Interior	1,102,448,000
Department of Finances, interest on debts	1,707,975,600
Department of Finance, other charges	1,077,175,250
Department of War	3,989,945,066
Ditto of Marine	1,395,941,156
Ditto of Foreign Affairs	278,700,640
Ditto of Justice and Church Affairs	497,198,300
Interest and Sinking Fund on British Loan	1,870,188,766
Total	<u>Milrees 12,744,161,266</u>

Thus the deficit amounted to 4,323,903,858 milrees, or rather more than one-third of the whole expenditure. But the minister considered a sum more than equal to this deficiency, although forming part of the charge of the year, to be merely temporary, because it was connected with the payments of interest and sinking fund on the debt, which were in the course of being redeemed or reduced. The estimated receipts on the other hand were permanent, with the exception of items, which amounted to only 1,177,786,729 milrees, so that the deficiency would not exceed 748,042,111 milrees, or little more than 180,000%. It was not proposed to impose taxes to cover the deficit:

VOL. LXXVII.

all that was now wanting, said the minister, was the approval of the details of the bill for the sale of national and ecclesiastical property.

The Cortes, likewise, applied themselves to the numerous claims for indemnification which had been put forward by those who had suffered under the domination of Don Miguel, or who had sustained loss in consequence of the measures which had now terminated in the establishment of the constitutional system. These measures comprehended a war; and the military operations of contending armies pay no regard to the interests of individuals. The bill, which now received the sanction of the Cortes,

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provided, that where injuries had been directly caused by individuals, or at the instigation of any individual, such persons were liable for the whole amount, and should be called upon to make it good. The unavoidable damages done in order to defend or to attack towns, as well as injury done by the usurper's government, the origin of which could not be traced to any particular persons, were to be made good by the nation at large out of the national property.

A bill brought in by the opposition to exclude from offices of trust all persons who had served under the government of Don Miguel, was opposed by the ministry on the ground that, in many cases, the service had been compulsory, and, in some, had been even useful. The proposed law was rejected by a majority of 44 to 41; but a subsequent motion, which converted it into an address to the queen praying her majesty to dismiss all Miguelites from the public service, was carried by a majority of 43 to 34.

Prince Augustus of Leuchtenberg, the husband of the young queen, had arrived in Portugal, in the beginning of the year. His manners and opinions rendered him popular, and his royal consort bestowed upon him the office of commander-in-chief of the Portuguese army. This nomination produced a strong feeling of discontent in the Chamber of Deputies, many members maintaining that it was a violation of the charter. When it was contended that his royal highness was responsible for his acts as commander-in-chief, it was answered, that it was not natural to suppose that, if ever it should become necessary to try his royal highness for any act of his, the

queen would allow proceedings to be instituted against her husband. Moreover, so soon as her majesty should have a child by his royal highness, he became king *de facto* and *de jure*, according to the charter; and what became then of his responsibility as commander-in-chief? Some members went still further, and accused the ministers of intending, by such an appointment, to secure a full control over the army, and immediately after the closing of the Chambers, to put down the liberty of the press, and then rule the country like despots. Others blamed the government for having placed the prince in a predicament of making a difference of opinion respecting him apparent, when up to that moment there was but one feeling of goodwill towards him in the country. The appointment of a committee to consider and report whether the office could be constitutionally held by his royal highness, although opposed by ministers and several of their friends, was carried by 45 against 44.

Death cut short the discussion. Prince Augustus, after he had been little more than a month in Portugal, had exposed himself to cold in taking exercise, and expired on the 28th of March. The Chambers justly considered the constitutional system to be greatly dependent on a direct succession to the constitutional throne. The young queen, therefore, was not allowed to indulge long in the private sorrows of her widowhood. On the 11th of April, both Chambers of the Cortes presented addresses, praying her to enter into a new marriage as soon as possible. The address of the Lower House described this step as being an indispensable sacrifice for the welfare and tran-

quillity of the nation. "The Chamber of Deputies" said, they "as representatives of the Portuguese people, and the interpreters of their sentiments, direct to your majesty this respectful message to supplicate you to be pleased soon to contract new nuptials. This expression contains in itself all the reasons which recommend the object it has in view, and the Chamber and the nation feel confident that your majesty will not omit any effort to secure the permanence of your throne, and to preserve to the nation the institutions of the charter, which cannot prosper unless in the midst of peace and with certainty in the succession of the Crown."—The royal widow replied, that she was a Queen, and a Portuguese, and the chamber might therefore be assured that she would make every sacrifice for the public interest which was not inconsistent with her dignity.

The prorogation of the chamber on the 22nd of April was followed soon afterwards by a considerable change in the ministry, said to have been the result of personal dislikes on the part of the young queen. Saldanha, so lately the leader of the opposition, became prime minister as President of the council, holding, at the same time, the war office. M. Freire, the minister of the Interior, and Silva Carvalho, the finance minister, were succeeded, the former by Pinto Magalhaes, the latter by M. de Campos. The duke of Palmella continued in office as secretary for foreign affairs, although his near relation count Linhares had been dismissed from the Presidency of the council, and the duke of Terceira consented still to retain the command of the army. The new ministry professed a creed

which in words, at least, was identically that of their predecessors. They declared their determination to support and develop the charter to its fullest extent, to have due consideration of services rendered to the constitutional cause in the distribution of honours and appointments, to exercise the greatest economy which circumstances would allow, and religiously to observe all treaties and engagements in which the public faith was concerned, whether entered into with native subjects or with foreigners. The removal, however, of Silva Carvalho from the finances, injured public confidence. It was to him that the monied interest trusted for the redemption and reduction of the debt, the regular payment of the dividends, and the complete execution of the law for the sale of national and ecclesiastical property. They did not place the same faith in his successor, who had, therefore, less command of their resources, and that, too, at a time, when the conversion of the 6 percents into a stock bearing a lower rate of interest required that the government should have funds at disposal. M. de Campos only increased his difficulties in seeking relief from them by directing a large sum of redeemed paper money lying in the bank to be re-issued instead of being burned; and the financial embarrassments were becoming so great, that the queen found herself compelled, in the middle of July, to reinstate Silva Carvalho in his former office. He was unable to restore his former colleague M. Freire, but he brought into the home office M. Fonseca Magalhaes, a gentleman of the same party, the other M. Magalhaes, who was minister of the Interior, having been removed to the department of

justices. The bank and the capitalists of Lisbon immediately tendered to the minister all the money which he might require for carrying through his financial operations.

By a convention signed in September, Portugal had bound herself to send an auxiliary army of 6,000 men to the assistance of the queen of Spain. The march of the troops was delayed, for there was some difference of opinion in the cabinet, and the queen herself was opposed to the measure. In November, the applications of the Spanish minister for the speedy execution of the treaty became more urgent. The elections of members to fill up vacancies in the Cortes for places which were in the power of the usurper at the original election, or had been prevented by other causes from returning all their members, were going on. The commander-in-chief did not think it expedient in these circumstances to march so large a portion of the army out of Portugal; the garrison of Lisbon manifested great dissatisfaction at the prospect of any part of it being removed; and the queen declared that the expedition would be hostile to her interests as well as contrary to her will and pleasure. The ministers, thus prevented from executing a convention formally entered into, resigned in a body on the 11th of November. Attempts were made in different quarters to form a new cabinet, but they all failed, and on the 13th the former ministers were re-instated in office. The queen was even driven to write a sort of apologetic note to the president of the council, stating that she had accepted their resignations with regret, that she had tried in vain to form a government without them, and reposed perfect

confidence in their zeal for her service. The ministry published this document with the view of finding it useful in the elections; but it produced a contrary effect, for the public feeling was strongly expressed that the queen had been harshly dealt with in having such a document extorted from her, and that to have given it to the world was still more unpardonable. Taking advantage of this state of things, her majesty, ten days afterwards, dismissed the ministry, and was more successful, on this occasion, in forming a new cabinet. The marquis Loule became secretary for foreign affairs, and Mousinho Albuquerque secretary for the home department. De Campos returned to the finances. The department of justice was given to Vellez Caldeira, and a colonel Louseiro was made minister of war. The public did not seem to disapprove of the change: at least, of eight members whom Lisbon had to elect, four of the new ministers were placed at the head of the poll.

Before the end of the year the queen's second marriage had been arranged. The bridegroom was selected from the house of Saxe-Coburg. A son of the king of the French was said to have been a candidate for her hand: but finally it was the nephew of the reigning duke, and of the king of the Belgians. By the marriage treaty, signed at Coburg on the 7th December, it was stipulated that the prince should resign all his rights in Germany to his brothers and sisters; that he would not assume the title of duke of Braganza, till there was an heir to the throne, when he was to act as king of Portugal, along with the queen; that in the

event of the queen's decease before the heir came of age, he was to be chosen king of Portugal, as guardian to his successor: and that his income was to be fixed at 35,000*l.* a-year.

On the 21st of March, a body of troops, which had been sent in garrison to the Cape de Verd islands, mutinied, apparently from a love of plunder. They put their officers under arrest, and placed their field-pieces in various parts of the town, one in front of the governor's quarters; stationed soldiers at various houses, particularly at the governor's, which was thronged with fugitives, and commenced sacking the place. Next day, having gained entire possession of the place, they commenced playing don Miguel's march, and on the following day, they imprisoned the families of the officers. At night they bound all the officers together, and drove them to the cemetery, and then inhumanly butchered them, except two ensigns, who were pardoned on condition of joining them. Those not immediately killed were beaten with the butt end of the muskets till they were broken; and in some instances, life not being extinguished even by these means, the murder was finished with large stones. On the 24th, the widows and orphans were removed into the country. Don Miguel was then proclaimed the legitimate king of Portugal, to whom the few remaining inhabitants were compelled to assent, even the Spanish and American consuls being included, to avoid sharing the fate of the murdered. The commandant of the revolted then issued orders demanding money and provisions, and requiring various articles of European luxury within a certain time, on penalty of for-

feiture of life. This order was enforced at the point of the bayonet; and, in consequence, all the families, with the exception of five, fled from the place. The enraged commandant upon this addressed a letter to the governor, requiring him to cause all those who had been released from prison upon his guarantee, to appear in front of the battalion, to suffer the penalty of martial law. The savage was, however, pacified, by the governor pledging himself that they had left the place solely to oppose the entrance of the country forces. During that evening many of the soldiers embarked on board a Sardinian polacca, which they had previously seized, and a small American schooner belonging to the Portuguese government. On the 26th, guns were heard in the vicinity of Praga, which caused much alarm among the revolted, who, however, united their forces, and with a field-piece dispersed the small force assembled against them, and effected a final embarkation, after pillaging the place, spiking the guns, and emptying all the powder and ball they could get into the sea. The vessels left the port in the evening, and the day after were seen from the tops of the mountains on their way to the island of Fogo, probably to obtain provisions and plunder that place, when it was their intention to proceed to the United States. Their booty consisted of plate, jewels, and money.

The Methuen treaty, altered in some particulars, but confirmed in its principal provisions, had long regulated the commercial intercourse between Britain and Portugal, and gave, or was supposed to give, peculiar advantages to the former country. On the 21st of July the duke of Palmella inti-

mated to the British ambassador ; that the Portuguese government had determined, under the powers reserved in the treaty of 1810, to declare it to be at an end from and after the 1st of January, 1836. The reasons assigned for this measure were, that the same resolution had been communicated to the British government in 1825, when the fifteen years, forming the fixed duration of the treaty, expired, and the negotiation of a new arrangement had been postponed till a more tranquil period, in consequence of the political events which followed : that Britain had already annulled the stipulations of the treaty, by withdrawing the preference in the payment of duties which the wines of Portugal had enjoyed in the ports of England since the year 1703, thus depriving Portuguese commerce of the most important advantage which it enjoyed in the British dominions : that an unanimous opinion prevailed, not only in the two legislative Chambers, but also in the repeated representations of Portuguese engaged in commerce, that treaties of commerce ought always to be temporary, since the commercial interests of nations are in their nature variable, and modify or change themselves according to circumstances ; and the commercial relations of the Portuguese monarchy had undergone a very notable change since 1810, by the separation of Brazil. The Portuguese government, however, expressed itself desirous of coming to an agreement, as speedily as possible, with his Britannic majesty, upon a new treaty or convention of commerce, having reciprocity for its basis, and placing the two nations as far as regarded the

admission of their respective productions, and the payment of all kinds of duties, on an equality with the most favoured nations.

On the 31st of August Portugal concluded a convention with Spain for the navigation of the Douro. Its principal stipulations were, 1.—That the navigation of the river to the whole extent to which it was navigable, or might thereafter be made navigable, was declared free for the subjects of both crowns, without any restriction or special condition in favour of the one above the other. 2.—That the two powers bound themselves to maintain the navigation of the river unobstructed, and in the state in which it then existed ; each in their respective territories, executing the works necessary for this purpose, and to employ every practicable means for the effectual improvement of the navigation. 3.—That the navigation dues and the system of police should be determined by means of a tariff, and a code of regulations, the provisions of which were to be uniform, and perfectly equal as regarded the subjects of both crowns ; the tariff and code to be framed by a mixed commission. 4.—That neither of the governments should be at liberty to increase the dues fixed in the tariffs drawn up by the mixed commission, unless by common consent, and at times when it might be deemed expedient, and should not impose, under any other denomination whatsoever, any new tax upon the navigation : and that neither of them should grant any exclusive privilege for the conveyance by the Douro of goods or persons, but leave competition always open.

CHAP. XVII.

HOLLAND—*Discussions regarding a Corn Law, and the Belgian Debt—Riot in Amsterdam—*BELGIUM—*Foreign Relations—Proceedings of the Chambers—Alien Bill—Commercial Restrictions—*DENMARK—*Creation of a Representative Body—*GERMANY—*Proceedings of the Diet against Immoral and Seditious Publications—Death of the Emperor of Austria—Commercial league of Prussia—Ecclesiastical disputes in Silesia—*HESSE CASSEL—DARMSTADT—BAVARIA—SWITZERLAND—*Disputes with the neighbouring States regarding Political Refugees—Religious Differences in Argau—Dispute between France and Basle-Country—*POLAND—*Speech of the Emperor of Russia to the Authorities of Warsaw.*

THE objects, which principally occupied the attention of the States of Holland during the present year, were the improvement of their judicial system, and the depressed state of the agricultural interest. A bill was passed altering the constitution and forms of the courts of justice; and part of a new code of commercial law was enacted. In the session which occupied the early part of the year, the distresses of the agriculturists were brought before the second Chamber by M. van Dam van Ysselt, who moved for an address to the king, praying the appointment of a commission to inquire into the state of agriculture. It was opposed by several deputies on different grounds:—1st, that the manner in which the subject had been brought forward was unconstitutional; 2dly, that the proposition was unnecessary, after the notice which had been taken of the state of agriculture by his majesty, in the speech with which he opened the session, and in the address which replied to that speech;

3dly, that, instead of an inquiry, a specific law should be proposed, by which means opportunity would be afforded for the full discussion of the question; 4thly, that there was reason to fear that the measures which might be adopted for the relief of agriculture would operate injuriously on other interests of great national importance. The motion was, however, supported by a majority of members, who, with protests against the introduction of restrictive laws, declared their readiness to concur in any measure for the benefit of agriculture, provided it did not endanger other interests. They therefore voted for inquiry. One of the majority referred to the land-tax, the excise on different articles, the duties on distillation, and various other imposts, which, he observed, indirectly affect agriculture, and which, in conjunction with the other public burdens, formed in his opinion, the real cause of the distress. Another member, who voted on the same side, blamed the government for

not leaving agriculture more to itself, and insisted that the general welfare should not be sacrificed by imposing high duties on the importation of corn; ascribing the distress to the weight of taxation, the financial measures of the government, the inundation of some districts, and the unfortunate political relations in which the country had now for more than four years been placed.

The motion for an address was carried by thirty-seven to fifteen; but it was rejected by the first Chamber, to whom it had been communicated for their concurrence. Before the chambers however, again met, which they did on the 19th October, the government had resolved to bring forward a protective measure; and to prevent its operation from being impeded by an excessive importation in the mean time, a decree appeared on the 29th of September, ordaining that on all grain imported after that date, security should be found for payment of the higher duties which might be imposed by an act to be passed during the approaching session of the states. These duties were fixed, in the mean time at two francs twenty-two centimes, per muid for wheat; eighty-one centimes for buck-wheat and rye; fifty-eight centimes for barley; and sixty-six centimes for oats. The corn bill itself was recommended in the speech from the throne with which the session in October was opened, and was shortly afterwards introduced by the government. It was strongly opposed by the commercial and manufacturing interest, who stigmatized it as a plan to benefit one class at the expence of all the rest of the population, and as a first step towards the establishment of

a system of prohibitions. Although it was supported by all the influence of government, it was carried by a majority of only 29 to 25.

The questions in dispute with Belgium remained in the same unsettled state in which the preceding year had left them. At the opening of the session the king informed the states, that no opportunity had yet presented itself of regulating the relations between the two countries in a manner conformable to the interests and the honour of Holland, and that the time when a more favourable prospect might open was uncertain. In their address, the states general spoke of the proper arrangement of these relations as becoming more and more necessary to the nation. One consequence of this unsettled state of matters was, that Holland had still to pay the interest on the Belgium share of the common debt. This was strongly resisted by several members of the second chamber. They treated the payment as being one, which not only was injurious and burdensome to Holland, but was not due by her; and they contended that, at all events, it ought not to be voted till the Chamber was satisfied, that the government had done everything, which it could do with propriety, to bring the difference with Belgium to a termination. On the other hand, it was maintained that to discontinue the payment would retard rather than accelerate a final arrangement, and that the injury thereby inflicted upon public credit would be much more disastrous than the temporary burden. The vote was carried by a large majority of thirty-nine to twelve.

In Holland part of the revenue

consists of personal contributions, a sort of poll tax. It being frequently found difficult and expensive, as in the case of Irish tithes, to recover it from poor tenants, a law had been passed transferring the payment of the tax from the occupiers of houses to their landlords. This provision, as well as the tax itself was very unpopular, and, in the month of July, it occasioned riots in Amsterdam. The goods of a proprietor had been distrained for payment of the tax due by his tenants. He belonged to an association formed by the proprietors for mutual assistance against the tax. On the day fixed for the sale of goods in terms of the law, a great number of the members of this society assembled in the house, and a multitude of persons collected around it, and crowded the neighbouring streets. When the bailiff, charged with the execution, appeared, accompanied by a police-officer, the people refused to allow them to enter the house, and declared that nothing should be sold. The bailiff withdrew, but the police-officer, who attempted to make an entry, was roughly handled. The fermentation of the people's mind was immediately manifested by acts of violence, throwing stones, &c. ; and no purchasers appeared. The articles of furniture seized were deposited in a wooden building, in the Heerenmarkt. Some veterans were posted before this building, where they, as well as the police-officers, suffered a good deal from the violence of the assembled populace, and only the presence of the Schuttery and the veterans hindered the mob from committing serious disorders. In the evening, the Schuttery received orders to retire, and the veterans remained alone in the

midst of the furious multitude, who surrounded, pressed, and separated them from each other, so that they were unable to make any serious resistance. The mob being now masters of the field, the building was forced open by the aid of large beams which were fetched from another place ; the goods were taken out and burnt ; the building was set on fire, and was reduced to ashes before the military, being again brought to the spot, dispersed the rioters. Nine of the rioters were tried and convicted, and were condemned to the pillory, and to imprisonment for different periods of eight, six, and five years.

IN BELGIUM, the formation of sir Robert Peel's ministry had excited alarm, lest the policy of the great powers should now be less favourable to the young kingdom, and in particular lest Britain should refuse to interfere to compel the Germanic confederation to concede the demands of the Belgians on the duchy of Luxembourg. The foreign minister was subjected, in the chamber of deputies, to a series of interrogatories, which were put to him in writing, and to which he returned written answers. He had received, he said, no communication from the German diet regarding Luxembourg. He had received communications from the English ministry since the entrance of the duke of Wellington into the administration. These had been perfectly satisfactory with respect not only to general peace but also to the independence of Belgium, and left no doubt but that the English cabinet would respect and fulfil the engagements contracted by their predecessors. He was asked whether France and England together, or either of them separately, in the event of the other

declining or objecting, would interfere in the conflict which seemed to threaten Luxembourg. The minister said, he could only answer that, in case of an invasion, he had no reason to believe that either France or England would fail in the guarantee which they had promised to Belgium, and that an invasion, or serious threat of invasion, would form a *casus fœderis*, which would justify Belgium in calling for their assistance. These explanations were deemed satisfactory; but as there were reports of military preparations in Holland, the government asked, and the Chamber granted, ten per cent additional on the taxes of the year.

The budget of the year, besides 3,392,900 francs (134,716*l.*) for the catholic worship, and 40,000 francs (1,600*l.*) for the protestant churches in Limburg, proposed a grant of 10,000 francs, or 400*l.* for the anglican church in Brussels and Antwerp. The members of the lower Chamber voted the money without difficulty on the ground that the great number of English who came to Brussels to spend their incomes, ought to have the means of attending divine service according to the rites of their own church. The committee of the senate, to whom the budget was referred, proposed by a majority of three against two, that this item should be rejected; the senate itself, however, adopted the views of the other chamber, but only by a majority of eighteen to thirteen.

A murderer having been ordered for execution at Courtray in the month of March, a motion for the abolition of capital punishment was immediately made in the Chamber of representatives. It

was referred to the sections of the Chamber for examination. The sections in general were of opinion that the question ought to be delayed till the observations of the tribunals on the proposed modifications of the penal code should be known. The central section, again, thought there was reason to discuss this project separately, and to refer to the courts of justice and tribunals of the chief towns of the kingdom, the following questions:—‘1. Is there reason to abolish the punishment of death in all cases? 2. Should the answer be in the negative, to state the cases in which the punishment of death should be abolished, and other penalties substituted? 3. What should those penalties be?’ The proposal of the central section was adopted.

Many sittings of the representatives, and an endless quantity of speech, were consumed upon a bill for establishing municipal authorities. The Crown wished to have the nomination of the burgo-masters and echevins; the chamber was desirous that they should be elective. The ministry divided against itself. M. M. Ernst and d’Huart, who, in the preceding August, had been transplanted, as very liberal men, from the opposition into the cabinet, to conciliate the chamber, voted for one part of the proposition, in order to keep their places, and against the Crown in another part of it, in order to redeem their character with their former associates. The debates were furious and abusive; such terms as “insolent,” and “impertinent” being plentifully applied. The Crown carried its point with regard to the burgo-masters; but the popular election of the echevins was

decided against it. This, again, rendered unavoidable a collision between the two branches of the legislature ; for the Senate would not fail to reject the clause which refused to the Crown the nomination of the echevins. Taking advantage of the approach of the period, when, by the constitution, one half of the chamber was to be renewed, the government cut short the dispute by suddenly proroguing the chambers on the 14th of May.

The new elections of one half of the chamber, which took place in June, did not increase the strength of the ministry. At Ghent the liberal candidates were all elected. At Liege, the ministerialists carried the day, but those who failed had a number of voters much more considerable than on former occasions ; and in general the government majorities were by no means overwhelming. Two only of the former opposition deputies lost their election, while seven ministerial members were rejected.

The Chambers were convoked on the 11th August, but the communal bill was not again pressed forward. Their deliberations were chiefly bestowed on protecting the country from becoming the workshop of foreign agitators by means of an alien bill, and protecting the cotton manufacture by means of prohibitory duties. The alien bill gave the government power to compel any foreigner, whose conduct should endanger the public peace, to reside in a particular place assigned to him, or to remove him from one place to another, or to send him out of the kingdom. It was vehemently opposed, not more as

being arbitrary and unconstitutional in itself, than as being, according to the representations of its enemies, a measure dictated by the king of the French, who was irritated at the escape of his own state prisoners from St. Pelagie, and offended at the fugitives having found refuge in Belgium. The language of some of the members, who spoke in favour of the bill, was not calculated to discredit these representations. Thus M. Nothomb thought the law absolutely necessary in the present state of France. If either the old dynasty should be restored in that country, or a republican government be established, neither of them would respect the independence of Belgium ; they would both seek to regain the Rhine, as the boundary of France. “ The enemies of Louis Philippe are ours also, and we ought to be on our guard against them. Defeated at Paris and Lyons, the seditious seek refuge in Belgium ; they withdraw from the combat to take breath ; receive them, and if they can, they will become proconsuls, to pay the debt of gratitude and hospitality.” It was likewise urged, that Belgium by its geographical position was exposed to be inundated by the favourers of disorder or anarchy, when anything occurred in the neighbouring states ; and therefore a law authorising their expulsion was reasonable. It no doubt left great scope for the exercise of arbitrary power ; but it was impossible to specify before hand the cases in which expulsion would be justifiable. The ministers protested strongly that the bill had been introduced exclusively on national grounds, and not to please

foreign cabinets, and it passed, opposed by a minority of only ten votes against sixty-four.

The proposal to increase the duties on foreign cotton manufactures originated in the complaints of the workmen of Ghent, who stated that they were starving, and called for protective and prohibitive measures. A petition from several hundreds of these suffering operatives, was laid before the Chamber of Deputies by the governor of East Flanders, at whose gates in the city of Ghent it had been deposited by a clamorous and almost menacing body of the complainants, who stated their demands in very strong language. The subject, however, was not taken up till after the second meeting of the legislature in August. The proposal to raise the duties was not introduced as a government measure, but some of the ministers supported it, and none of them opposed it. France, Switzerland, and Prussia, which latter power now spoke in the name of almost all the German States, gave notice that they would be compelled to have recourse to similar measures against Belgian manufactures. A petition against the system of prohibition was presented from the merchants of Verviers, and another from the booksellers and publishers of Brussels, who apprehended that their trade with Switzerland, which was very advantageous to Belgium, would suffer by the reprisals that might be made. The chamber, however, after a two days debate, resolved, that the existing tariff was not sufficient to protect the cotton manufactures and that the scale of duties should be raised. The bill, which was in-

troduced, while it created a temptation to smuggle, left many means of doing it successfully; yet several amendments, which had for their object to prevent evasions of the law, were negatived. This gave much satisfaction to the opponents of the protecting duties, who represented the Chamber as having already repented of its first vote, since the only means, by which the intention of those with whom it originated could be realized, were rejected. The contraband trader would nullify all the advantage which the manufacturers hoped to derive from an unreasonable impost on foreign commodities.

DENMARK, from the middle of the 17th century had been governed by a system of absolute power, voluntarily established by the population itself. She had possessed her estates, like other kingdoms of the north; and her commoners formed a constituent part of these estates. Irritated by the insolence, and desirous to ensure protection against the oppressions of the nobility, they joined the crown, and formally abrogated the estates, placing all power in the hands of the king. Since that time the Danes had been governed by an absolute monarch, and so governed that they had evinced no desire for any change in their institutions. In the course of the present year, the king voluntarily created a representative body, under the name of the royal council, which assembled for the first time, at Copenhagen, on the 1st October. The electoral system was thus explained in the opening address of the royal commissioner. "The king did not conceive it necessary to make any alteration in the constitution under

which Denmark has prospered during the last 175 years ; but in reserving to himself and his descendants the powers placed by our ancestors in the hands of Frederick III., it was his wish at the same time to add to that constitution certain regulations, by which both himself and his descendants should be constantly reminded that all their efforts ought to be directed towards the accomplishment of the people's happiness, which is inseparable from that of the reigning king.

“His majesty has therefore ordained that certain men, freely chosen by their fellow-subjects, should assemble at stated periods, in order to deliberate on the interests of the country preparatory to the framing of royal decrees respecting those interests. The propriety of calling to such deliberations none but men in independent circumstances, and whose interests unquestionably attach them to the principle of public order, has induced his majesty to make landed property the basis of eligibility. It has been far from his thoughts, in thus qualifying men possessed of landed property, to establish exclusions in regard to men belonging to other classes. It is not intended that an assembly should be formed on conditions which should exclude all but landed proprietors as the representatives of the people. The necessary qualification has, therefore been so fixed as to enable as great a number of citizens as possible to become eligible. If the electoral system of this kingdom were to be compared to that of many other states, it would be seen, that with us it rests on a broader basis than anywhere else. The holders of leasehold property are included among the voters for members of

the council, though they may not be possessed of landed property of their own. They may even become members of the assembly, if returned by their fellow-citizens. In this new constitution there is no class enjoying privileges at the expence of other classes. Although certain proprietors are to have the right of naming representatives to the assembly, the object has merely been to produce a country representation, which may counterbalance the influence of the representatives of cities. It is with this view that the government has incorporated a certain number of the great proprietors in the new royal council, all the members of which possess an equality of rights and privileges. Another peculiar feature of our new legislative forms will be found in the power of the electors immediately to return the man of their choice, while in some other states called constitutional the primitive electors name other electors, who ultimately elect the deputies. The government has taken care not to reserve to itself any right whatever of interference in the management of elections, and, in short, very few elective assemblies can be compared with ours. Even your president is to be freely elected by the members of the chamber. This entire and absolute confidence which the king has placed in the excellence of the national institutions, is wholly an inspiration of his own. It is a special favour originating with himself, and on which therefore, the people will set a double value.”

GERMANY had found in her political reformers a new school of literature and morals, as well as of civil rights. They were poets and novelists, no less than publicists.

Under the appellation of "young Germany," or "young literature," aping the French petulant disdain of all sound principle and disregard of all authority, divine or human, they preached up their extravagant doctrines in corrupting publications, which dealt to the full as recklessly with morals and religion, as with forms of government. The simple principle that nothing ought to exist, which was not approved of by *their* reason, forsooth, or which prevented the gratification of any desire they might entertain, or kept them down from becoming leading men in society, rendered them at once deists, if not atheists, democrats, and debauchees. Most of these writers had already found it prudent to remove their persons into France or Belgium; and the Diet now issued a decree against their works. The decree proceeded on the preamble, "That there has lately been formed in Germany a literary school, which has at length assumed the title of 'The Young Germany,' or 'Young Literature.' Its ostensible efforts, disclosed in its writings, made palpable to all classes of readers, are destined to attack the Christian religion in the most audacious manner, to degrade the actual relations of society, and to destroy all education and all morality." All the governments, therefore, engaged to enforce, in their full rigour, the penal laws and police regulations of the different States, against the authors, editors, and publishers of such works, and to prevent their circulation by sale, circulating libraries, or otherwise.*

* The decree set forth by name the leading authors of this school, viz. Henry Heine, Charles Gutzkow, Henry Laube, Ladoff Wienburg, and Theodore Mundt.

As German authors and publishers were anxiously demanding from the Diet a law which would protect copyright throughout the whole confederation, the decree put them in mind how much it was their interest to second, on the present occasion, the intentions of the Diet; and the authorities of Hamburgh were requested to make a special communication to this effect to Messrs. Hoffman and Campe, booksellers in that city, who were the principal publishers of the writings against which these measures were directed.

The principal occurrence in the history of AUSTRIA was the death of the Emperor Francis, on the 2nd of March, after a few weeks illness. He had filled the throne during a period of 43 years; he was the last of the elective emperors of Germany, having resigned the title on the formation of Napoleon's confederation of the Rhine; and he was the first of the emperors of Austria. His long reign had been marked by great vicissitudes of fortune. Compelled to yield before the arms of revolutionary France, he had not only witnessed the dissolution of the holy Roman empire, but had been forced to surrender great part of the proper dominions of the House of Austria. He had lived to see all these wounds healed—all his conquered provinces restored, and he left his empire as powerful as he had found it. His dominions had continued undisturbed by internal discontent; his people put up no vows for parliaments or constitutions, and he dreaded all such innovations as fraught with mischief and disorder. He was not distinguished for any brilliant qualifications of the understanding, although endowed with much plain

common sense, and possessed of very considerable information ; but in his personal character he was a pure and upright man, of extremely mild and simple manners, attached to his people, and devotedly beloved by them. His death produced no change on the politics of Austria or of Germany. His government had long been in the hands of prince Metternich ; and his successor, the emperor Ferdinand, continued to use, with equal confidence, the services of the same minister.

PRUSSIA, strong without, and enjoying prosperity and tranquillity within, proceeded to bring to a conclusion her great scheme of uniting all the states of Germany in one body, so far as concerned the duties on exports and imports. Hitherto these duties had varied in each individual state, being higher in some and lower in others. A necessary consequence was, that each State was surrounded by its own line of custom-houses, and guarded by its own peculiar system of protective or prohibitory duties. To each of them, all its neighbouring German States were foreign countries ; trade was hampered, and manufactures were depressed, by innumerable difficulties and obstructions ; and the very expence of maintaining so great a number of fiscal establishments was an intolerable burden on the revenues, which they collected. Prussia had been labouring for several years to unite the different members of the confederation in a treaty which would establish one tariff for all the States, the duties to be collected on the frontiers only of what would then form, as it were, one commercial kingdom, and thus relieving the intercourse and the industry of the

interior from interminable lines of custom-houses. One after another, Bavaria, Wirtemberg, Hesse Darmstadt, Hesse Cassel, and the small States of Thuringia, had been brought to join the union. The grand-duchy of Baden, whose position in regard to France rendered its accession to the system an object of much importance had long resisted ; but all difficulties were overcome ; and Baden, on the 12th of May, signed the mutual treaty as a member of the union. In laying the treaty before the Chambers, the government described the object of the union as being to enable Germany to act with respect to other nations as one great whole ; and that all the members of it might be allowed to show a noble emulation in the field of industry, with the enjoyment of the same rights by each. Nothing great could be accomplished without the sacrifice of inferior and local interests. Every member of the union must make such sacrifices ; and it was impossible exactly to calculate their amount, compared with the advantages which would ensue from the freedom of trade and the independent position of Germany, with respect not only to the other States of Europe, but to the whole civilized world. Baden, too, could not join the union without sacrifices, but also not without advantages. The object had been to make these sacrifices as small as possible ; and they had attained this object as far as it could be done without prejudice to the higher interests of the whole union.

The whole frontier of Germany towards France was now comprehended in the union, with the exception of Frankfort, and the duchy

of Nassau. Frankfort, surrounded by the custom-houses of the new system, found it desirable to join it. The principal obstacle lay in a treaty, concluded not long before, between Frankfort and Great Britain; and, to remove this obstacle, Frankfort sent an agent to London, in the end of the year, to negotiate with the English government the revocation of the treaty.

The Prussian government came into collision with some of its subjects in Silesia, in relation to ecclesiastical matters. It had issued, in the month of February certain ecclesiastical regulations, to which a number of townships and some of the Lutheran clergy objected. In Prussia, as in the rest of Germany, the Protestant church consisted of two great parties—the Lutherans, and a more rigid, and, as they held themselves to be, a more evangelical party, the Reformed. In Silesia, as in the German States, the government had united the two modes of worship. The Lutherans were extremely repugnant to this measure, and, in several parishes, the people set themselves against such of the clergy as attempted to enforce the union. The Prussian authorities declared, repeatedly, that the union was to be entirely voluntary; but the malcontents then took their stand on the regulations. These regulations, they conceived, had been framed with a view to the union; and they rejected them as being, in fact, a part of the system of union. On the other hand, the government maintained the regulations, as having no connexion with the union; but being rules to be observed by both religious bodies, whether they joined in their worship, or continued separate. Attempts were made, for a considerable time, to convince

the pastors and the communities, that there was no desire to commit any violence upon their consciences, or upon the free exercise of their religion. Remonstrances, however, having failed in inducing them to accept the *agenda*, it was thought necessary to have recourse to severer measures. Several pastors, who had in vain been subjected to disciplinary penalties, were suspended from their functions, and replaced by vicars who introduced the *agenda*. In a place named Horigern, the ejected clergyman and his followers took possession of the church, to exclude the new pastor, and had to be dispersed by military force. The government immediately appointed a commission to inquire into and settle these religious troubles.

The Chambers of HESSE CASSEL met in January, and were principally occupied with a new system of municipal organization. The plan proposed by the government did not meet their approbation. They objected to it that it was placed on too narrow a foundation of popular control; and that it would leave the interests of towns and communes too much in the power of interested parties. After a good deal of warm dispute, and public excitement, the government withdrew the bill, and proposed another more in unison with the opinions of the Chambers. This spirit of conciliation manifested by the government induced the representatives to make concessions on their part, and the new bill was passed. Still the Chambers and the elector did not part in harmony with each other; the elector having dissolved them with expressions of displeasure at the spirit they had manifested.

Cassel itself was the scene, in the month of February, of a riot-

ous proceeding which in itself did not differ from other riots, but which had its only ostensible origin in the mob's love of knowledge. Cassel, like most other towns in Protestant Europe, contained a congregation of persons called "Pietists," that is, of persons approaching nearly to what is called the evangelical body in our own church, much given to the abstract mysteries of Christianity, and the feelings or extacies of practical devotion, harmless in their conduct, and not less pure in their morals than other people. The mob of Cassel had been taught by unknown opponents of the sect (for the idea could never have originated with themselves) that these persons formed an association, protected by influential individuals, the object of which was to prevent the diffusion of knowledge. In this belief the mob surrounded the house of the clergyman, in which these religionists were wont to hold their prayer-meetings, at a time when a meeting of this kind was about to take place. The mob prevented the intended worshippers from entering. As night drew on, it was increased by numbers of spectators drawn together by the spectacle of a populace contending against ignorance and superstition. The enlightened mob, rioting in favour of knowledge and reason, raised shouts of "Out with the mystics! Hang them up!" and assailed the windows with a shower of stones. The police cleared the street; but the crowd in the market-place did not disperse, and seemed inclined for more mischief. More energetic measures of precaution were therefore judged necessary. The commandant of the city ordered the drums to beat to arms, and the

whole city was alarmed by the beating of the drums and the sound of the bugles. The theatre was soon deserted, as all the military left it to repair to their posts; the electoral Prince Regent returned to his palace; the greater part of the audience came out, partly through curiosity, partly through fear. In a short time, all the troops of the garrison, infantry, and cavalry, were at the general rendezvous in Frederick-square, in front of the palace. The artillery stood by their guns with lighted matches. The Prince, with the general staff, was with the troops. The latter, however, returned to their barracks about eleven o'clock, the civic guard having been found sufficient to disperse the crowd; and strong detachments patrolled the streets to maintain tranquillity.

In Hesse-Darmstadt, the cognate branch of Cassel, the states proceeded with their business without furnishing any topics of European interest, if we except what happened to the city of Worms, as an illustration of the utter worthlessness of constitutional forms, where a love of orderly liberty has not become habituated to the mind as part of its every-day life. Worms, having a vacancy in its representation, had elected a M. Gagern who was very obnoxious to the government. Worms has a garrison and a gymnasium, and the expenditure occasioned by both is of great importance to the inhabitants. They were alarmed, after the election of the man of their choice, that the garrison was to be withdrawn, and the gymnasium suppressed. An address was immediately presented to the grand duke, assuring him that the majority of the

citizens disapproved of the choice which they had made, and that they were always ready to show their attachment to his person and government. The duke received the deputation with a severe but paternal countenance. His answer contained the following passage :—" I have at all times had the welfare of my Rhenish provinces at heart. The goodwill I have shown towards them will never fail, and therefore I have a right to expect that they will respond to my paternal sentiments. They have not, however, justified my hopes in the last election." The grand duke convoked the states in the month of April. He expressed to them his confidence that they would concur in the measures of improvement which he had submitted to them in the last session, but which had not been adopted, and to which he should add others, recommending to them particularly those that related to the high roads, as tending to the increase of commerce. After noticing the extension of the German system as to the customs, and that it had been acceded to lately by the landgrave of Hesse, the grand duke announced that he had recently determined that it should be carried into effect in the Rhenish province of the duchy. He then noticed, as one of the happy events of the present epoch, the closer union between the several states of Germany, and the gradual formation of the Germanic Confederation into an independent national power, sufficiently strong to defend itself against all its enemies both internal and external. He terminated his address by declaring that he would always be willing to listen to the just demands of the states, and his hopes

that they in return would grant him their confidence, and co-operate with him in all measures for the benefit of the country. The proceedings which followed did not furnish any topic of interest.

In the Bavarian Chambers, one subject was moved, which deserves to be noticed, partly in reference to some much-agitated provisions of the British poor-law amendment bill, and partly as exhibiting, in a country, which enjoyed the forms of a free constitution, moral habits which are utterly inconsistent with all manly and well-ordered freedom, and destructive of every thing which a free-man would wish to keep holy; being at once the purest blessings and the brightest ornaments of civil society. The number of illegitimate children born in Bavaria had, for some time, been attracting attention in Europe, as a very disgraceful phenomenon. The facts, as stated by M. Hoffman, were indubitable. " In general we find that there are far more illegitimate children in proportion in the towns than in the country, and in great cities more than in smaller towns. Bavaria alone offers a melancholy exception; for here, even in the country, there is a greater proportion of illegitimate children than in the most licentious great towns, nay, even in Paris itself; there is no part of Europe where such immorality in this respect prevails. As for the capital of Bavaria, the number of illegitimate children is nearly equal to that of the legitimate; and besides, with such dissoluteness of manners, how many are baptized as legitimate who in fact are not so? In 1823, there were 1,030 legitimate, 990 illegitimate births; in 1829, the numbers

were 1548 and 1127. Matters had not subsequently improved. In 1834, there were in Munich 1,339 legitimate and 1,291 illegitimate births ; and from January 1, 1834, to 31 December, 1834, there were born in Munich 14,831 legitimate and 12,219 illegitimate children. This was worse than any thing known in Europe, a great deal worse than even Paris, which came nearest to Munich ; for, in Paris, the children born in marriage were to those born out of wedlock, nearly as three to one.

The Upper Chamber of Bavaria, impressed with these disgraceful facts, sent to the Lower Chamber certain resolutions to which they had agreed, bearing " That especial attention should be paid, in the labours of the legislature, to the constantly increasing number of illegitimate children, and that measures to remedy this evil may be taken by the legislature, in doing which the following points would be to be considered :—1. The abolition of the action against the father ; 2. Provision for the children by the establishment of institutions for their support and education at the expense of the state or of the circles ; and 3. The punishment of the mothers in the houses of correction or the work-houses." The Chamber of Deputies replied to those wishes of the Upper Chamber, that they were not to be reconciled either with considerations of humanity or the principles of justice and morality ; that they would expose the weaker sex, and would often reduce an innocent female to utter despair. It does sound strange to hear legislators talking of the despair of innocent females, in a

country where every second woman is a mother without being a wife.

SWITZERLAND still found that an end had not been put to the uneasy relations with the neighbouring states, in which she had been involved, during the preceding year by the conduct of foreign political refugees to whom her territory had afforded protection. We have recorded, in our previous volume, the remonstrances and demands on the part of neighbouring powers, which these events had produced ; the assurances given by Zurich as the directing canton on 24th of June 1834 ; the approval of the conduct of Zurich, by the great majority of the Diet on the 22nd of July following ; and the satisfactory light in which their proceedings had been viewed by the complaining governments.* At the meeting of the Diet in July, Berne and Lucerne, where the temper of the democracy was hasty, overbearing, and imprudent, protested loudly against the conciliating policy pursued by Zurich. Although Zurich had only pledged itself that " the Swiss will in future send away from their territory all those who shall attempt to disturb the peace of other states, and will prevent them from returning again upon Swiss ground ;" and although in this pledge nothing more was conceded than sound policy, international law, and good neighbourhood required ; Berne and Lucerne had treated it as a sacrifice of national honour ; they had protested against its being acted on, though ratified by the great majority of the Diet ; they had declared that they would not obey the decree ; and had used almost menacing

* Vol. LXXVI. p. 45.

language towards their own confederated cantons, as well as towards foreign powers. The presidency of Zurich as *Vorort* of the Confederation expired with the end of 1834; and with the 1st of January 1835, Berne, according to the constitutional rotation, became the executive and administrative canton of Switzerland. Looking at the conduct which Berne had pursued regarding the resolution of the Diet, it was not unnatural that foreign states, whose tranquillity was involved in the maintenance of that resolution, should not feel much confidence in its observance, now that the general government of the country was in the hands of a canton which had declared that, even in its individual capacity, it would refuse obedience to that resolution as a rule for the Confederation. Accordingly, on the 1st of January, the very day on which Berne entered upon its directional functions, the Austrian envoy presented to it a note, requesting it to declare whether Berne would, as the directing canton, abide by the declarations of the last *Vorort* of June, 1834, with regard to any refugees that might attempt to disturb the peace of the neighbouring countries; or whether the protest, which Berne, as a canton, had entered against those declarations, was to be considered as an indication of the line of conduct which Berne, as *Vorort*, intended to pursue. The note disclaimed all intention of wishing to insult the Confederation, to annoy it by exciting agitation and discontent, or to interfere with the rights of Switzerland as an independent state; but it insisted, on the other hand, that Switzerland was equally bound to respect the tranquillity of other states, and

to prevent her territory from becoming the workshop of machinations against neighbouring governments, and the scene of manifestations, which, confined at first to offensive and derisive actions, might be followed, as occasion permitted, and as they already had been followed, by hostile aggression. "The neighbouring states," continued the note, "ought now to have the firm assurance that the Confederation and the *Vorort* will apply themselves seriously to keep the promise they have given, no longer to permit on the Swiss territory any hostile excitation, or any offence against the neighbouring states—to expel without restriction from Switzerland, and not only from this or that canton, those strangers and refugees who commit such acts—a measure without which the just complaints of the neighbouring states will continue to subsist, and in short to live loyally and in good understanding with the neighbouring states."

"In requiring from the present *Vorort* a precise and categorical confirmation of the solemn declaration given by the last Diet, the Imperial and Royal Court is persuaded that such a confirmation will be equally demanded of Switzerland by the other states. In any case, the required declaration will be the condition of the continuation of the ancient relations of good neighbourhood, or the cause of the changes which the neighbouring states will find themselves, to their great regret, obliged to make in those relations."

Similar notes were presented by Bavaria, Wirtemberg, Baden, the Germanic Confederation, Sardinia, and Prussia; and their envoys were

directed not to repair from Zurich to Berne, till a satisfactory answer had been received. The directing Canton gave general assurances of its determination to observe the law of nations; but these were not deemed sufficient by the neighbouring states, who wished to know whether it would observe the law of the Confederation. It would appear that Berne had expected to be supported by France in the policy which it wished to pursue: but France, did not, openly, at least, adopt any course different from that of the other powers, and the movement party, which predominated at Berne and Lucerne, complained loudly that France had abandoned them. The envoys refused to present themselves at Berne, although an interchange of diplomatic notes was still kept up with them at Zürich. In the meantime apprehensions arose in the neighbouring German states, that a hostile attack was to be made upon them by German refugee workmen and politicians, who were assembling in the northern Cantons of Switzerland. Bavaria ordered a body of troops to be in readiness to march, and Baden moved her military nearer to the frontier. This, again, led to new notes from the *vorort*, who requested from the envoy of Baden, on the 5th March, an explanation as to the object of these movements. The minister answered, that his government had thought it right to take military precautions on the Swiss frontier, in consequence of the positive danger of an irruption into Germany of the German refugees residing in the northern Cantons, but that nothing of an hostile nature against Switzerland was intended by these measures. He added, that Switzerland had it in her power to

render these measures of precaution unnecessary, by frankly adhering to the conclusion of the Diet of 22nd July, 1834; for, in that case, the neighbouring states would trust to the directory itself preventing, within the Swiss territory, any act which would compromise the tranquillity of Germany. Thurgau, where a body of refugees had assembled for the purpose, it was believed, of entering Suabia, adopted, although it was a movement Canton, very rigid measures in order to render them harmless. Berne still entrenched itself within general declarations, which it made in very strong terms. On the 25th of May it addressed to the envoys a note, stating that "All the members of the Confederation will constantly consider it as their most imperative duty to cultivate, and more and more to consolidate, the relations of friendship between the Swiss Confederation and the neighbouring states on the basis of the general principles of the law of nations. These sentiments being equally shared by all the members of the Confederation, the directory of the Confederation, in the name of the canton of Berne, allows itself to express the most ardent wish that the misunderstandings, which, in consequence of a deplorable and disapproved event, have latterly arisen between the canton of Berne and the German governments, may be considered as wholly put an end to, and the more so, as the government of this canton willingly respects the general principles of the law of nations." It is of evil and ominous example in a Confederation, that an individual member, which forms its executive, should be able to set at defiance the resolutions of its legislature; but the Swiss Diet, although it did not formally revoke the vote to which

it had come in July, 1834, did not take any steps to insist upon its faithful execution. Before separating, they voted, on the 24th of August, the following instructions to the directory in regard to foreign affairs:—1. The directory will scrupulously watch over the honour, dignity, and independence of the Confederation, as is suitable to a free and neutral state. That body is earnestly invited to require the cantons to put their military organization in the state which is prescribed by their federal obligations. 2. The directory will watch over the preservation of pacific and amicable relations between the Confederation and foreign states, taking for its basis the faithful execution of the duties resulting from the rights of nations. 3. For this purpose the directory will keep up a regular correspondence with the cantons and with the Swiss agents abroad, so as to be made acquainted with all that can interest Switzerland. 4. In case of sudden danger from abroad, the directory is authorized to set on foot the necessary troops, and to designate their temporary chiefs, and at the same time will convoke the Diet, to which body is reserved the appointment of commander-in-chief and the chief of the staff, as well as the direction of such other general measures as it may deem requisite. 5. If war should break out in any of the states bordering on Switzerland, the Diet shall be immediately convoked.

The political dissensions, which embittered the peace of Switzerland, began now to be mixed up, in some of the cantons, with religious animosities. Among other innovations, an earnest desire had been expressed, in some of the Catholic cantons, especially in Argau,

that Catholic Switzerland should have a national Church by means of an union of provincial synods. The project was not acceptable at Rome; for every arrangement of this kind diminishes the direct dependence of the bishoprics and the church on the papal see. In Argau, the little council having laid certain propositions before an assembly of the clergy, a papal circular was addressed to the latter, and at the same time was clandestinely circulated in the canton, for the purpose of creating odium against the intended ecclesiastical changes. The little council immediately issued a proclamation, warning all the inhabitants, whether clerical or lay, against circulating the document, and calling upon them not only to deliver up all copies which might have reached them, but likewise to state the name of the persons by whom they had been distributed or transmitted. The bishop of Argau, imagining that ecclesiastical rights had been violated, or ecclesiastical powers illegally assumed, by certain judicial sentences of judicial bodies, issued an inhibition. The great council referred the matter to a committee, who reported, on the 2nd September, that it should be declared to the bishop, by a letter from the great council, that the great council considered the inhibition against judicial sentences to be illegal, and to be a violation of the duties which the bishop has sworn to fulfil; and it, therefore, called on the bishop to withdraw the inhibition in due form, and in case he did not, to expect the consequences that would necessarily follow: That if the bishop should not be induced, either by this letter, or by the intervention of the diocesan authori-

ties, to conduct himself properly, his revenues should be sequestrated, the canton should declare its separation from the bishopric; the canon residing at Soleure should be recalled, and the great council immediately assembled: That all clergymen, having the cure of souls, should take an oath of obedience to the canton of Argau.

By treaties entered into in 1827 and 1828, France and Switzerland had regulated the conditions under which the citizens of the one country should be allowed to settle and acquire property within the territories of the other. A. M. Wahl, a French banker of Muhlhausen, had purchased an estate in the division of the canton of Basle, now called Basle-country. He had made his acquisition under the authority of the legislative council of the district; the price had been paid, and the transaction completed. M. Wahl, however, was a Jew; the grand council, on this ostensible ground, opposed itself to his settlement amongst them, and by a decision of the 18th April, annulled the contract. Repeated applications and remonstrances for an alteration of this decree having been in vain addressed by France to the canton itself, an ordinance was issued from the Tuileries, on the 12th September, suspending all diplomatic intercourse, and the operation of the treaties of 1827 and 1828, between France and Switzerland, in so far as regarded the canton of Basle-country, unless the latter, within twelve days, should repeal its decree of the 18th April. This ordinance being communicated likewise to the directory, the latter expressed regret that the French legation had not sooner brought the matter under its notice, but promised, if it found,

upon inquiry, that the authorities of Basle-country had acted in contravention of the treaties, to use every means to bring back its government to the performance of its duty. The canton itself did not allow its determination to be affected by these proceedings. The great council decided almost unanimously, on the 18th October, that all the measures, which had been taken to annul the purchase, should remain in full force.

In the autumn, the king of Prussia, and the emperor of Russia met at Kalisch, on the western frontier of Russian Poland, and the autocrat subsequently met the emperor of Austria at Töplitz; but neither of these meetings seemed to have been brought about for the purposes of political deliberation, and the first of them was devoted to the reviewing of some corps of the Russian army. On his return to St. Petersburg, the emperor Nicholas passed through Warsaw. The civil authorities waited upon his majesty to pay him their respects, and he addressed to them a speech, which having been retained with wonderful accuracy, and having found its way into the French papers, excited much attention in the rest of Europe as being an impudent declaration of the rigorous principles on which Poland was to be governed, and a plain avowal that she was thenceforth to be treated as a Russian province. "You have desired to see me, gentlemen," said the emperor; "well then, I receive you. You have wished to make me a speech; but in order to spare you a lie, I have not thought fit that this speech should be addressed to me. Yes, gentlemen, to spare you a lie; for I know your sentiments are not such as you would have me

believe, and most of you, if placed again in the same situation, would be ready to begin again what they did during the revolution. Are not you the same persons, gentlemen, who, five years, eight years ago, spoke to me of loyalty and devotedness, and gave me the fairest assurances of your attachment? A few days afterwards you broke your oaths, and committed atrocious deeds. The emperor Alexander, who did more for you than any emperor of Russia ought to have done, (I say it because I think so,) who loaded you with benefits, and favoured you more than his own subjects—who made you the happiest and most prosperous nation—the emperor Alexander was rewarded by you with the blackest ingratitude. You have never known how to be satisfied with your own condition, favourable as it was; you have ended with destroying your own prosperity, by renouncing your institutions, and trampling them under foot. I tell you the truth plainly, in order, once for all, to make our respective positions clear, and that you may know what you have to think of it. Actions are required not words; repentance must come from the heart. You see that I speak to you without anger—you see me calm, without rancour. I have long pardoned the offences to myself and my family. My sole desire is to return you good for evil, to make you happy in spite of yourselves; for so I have sworn before God, and my oaths are sacred to me. The marshal here, who fulfils my intentions, seconds me in my plans to take care of your welfare. (At these words the whole deputation turned towards Prince Paskevitch, bowing to him, but the emperor proceeded.)

Well, gentlemen, what does this salutation prove? Nothing at all. Above all things you must fulfil your duties, and conduct yourselves like honest men. Gentlemen, you have two ways before you; you may either persist in your illusions of an independent Poland, or continue to live in tranquillity as faithful subjects under my government. If you choose to persist in cherishing your dreams, your Utopias of nationality, of an independent Poland, and such other phantasms, you can only bring down on yourselves great misfortunes. I have caused the Alexander citadel to be erected here, and I declare to you, that on the smallest insurrection, I will have the city cannonaded. I will destroy Warsaw, and certainly it will not be rebuilt by me. It is very painful to me to speak to you in this manner—it is always hard for a sovereign to treat his own subjects in such a manner; but I say it for your good. It depends on you, gentlemen, to deserve that what is past should be forgotten. It is only by your conduct, by showing yourselves faithful to the government, that you can attain this object. No police in the world can hinder secret intercourse with foreign countries. But you yourselves must exercise the police to prevent the evil. By giving your children a good education—by imprinting on their minds the principles of religion and of fidelity to the sovereign, you may remain in the good path. In the midst of so many troubles that agitate Europe, in spite of all the doctrines which shake the social edifice, you have the good fortune to live in peace under the eyes of Russia, which remains strong and untouched, and watches for you. Believe

me, gentlemen, it is a real blessing to belong to Russia, to enjoy its protection. If you conduct yourselves well, if you perform all your duties, my care will extend to you all, and, in spite of everything that has passed, my government will constantly be interested in your prosperity and happiness. Let what I have said to you remain fixed in your memory."

In an earlier period of the year, the Russian government had contracted a loan of 150,000,000 Polish florins in name of Poland. The Polish refugees in France, styling themselves "The Polish emigrants, organized in democratic society for the emancipation of the

Polish nation," published in the principal newspapers of Europe, a protest against this loan, giving warning to the lenders that Poland, when it should have recovered^{nts} liberty, not only would not recognize the title of the creditors, but would insist upon recovering such payments as might have been made to them—proclaiming every Pole aiding in this loan, whether directly or indirectly, an enemy to his country, and holding up to universal execration all in general who should contribute to this augmentation of the burthens of subjugated Poland. The protest was dated from Poitiers, in the department of the Vienne.

CHAP. XVIII.

GREECE—*Transference of the seat of government from Nauplia to Athens—Establishment of Judicial Tribunals—Operations against the disaffected in Messenia—Termination of the Regency and accession of the King—Creation of the office of Arch-Secretary of State, and change of Ministry—Discontents among the Greeks—Hostility to the Bavarian military—The King of Bavaria sets out for Greece—TURKEY—Influence of Russia—The passage into the Euxine refused to armed vessels of Britain and France—Insurrection in Albania—Military operations against the Kurds—A constitution established in Servia—SYRIA—Oppressive proceedings of the Pacha of Egypt—He invades Arabia—His army is routed—Plague in Egypt—PERSIA.*

IN the end of 1834, the seat of the Greek government had been transferred from Nauplia to Athens, with a view to the approaching majority of the king, and the consequent dissolution of the regency. His majesty himself landed at the Piræus, on the 13th of December; he was met by the *demogerentes*, or aldermen, and the municipal officers of the city, who accompanied him in procession to the Temple of Theseus, where his arrival was celebrated by the performance of a *Te Deum*. The court and its unavoidable attendants, the staff and the diplomatic body, suffered much inconvenience from want of accommodation, the king himself being housed in only a *pro tempore* palace; but their presence contributed greatly to the renovation of Athens by the demands which it created. Old streets were cleared out, and new ones laid down; private dwellings

and public buildings rose rapidly on every side. Warehouses began to be built along the Piræus; and a great number of men were employed to clear away from the Parthenon the accumulated rubbish of so many centuries.

The regency, too, had been gaining in the opinion of the Greeks, since the recall of its unpopular members Mauer and Abel, in the preceding year. Count Armand-Perge, whom they had attempted to expel, was presented by the Athenians with the freedom of their city, and a very flattering address, thanking him for the wise measures which he had followed in governing the kingdom. The principal occupation of the regency during what remained of its existence consisted in completing the judicial organization of the kingdom. Greece was divided into ten judicial departments, or *Nomoi*. In each of these was established a

tribunal of first instance, consisting of three judges. Two courts of appeal were instituted for the whole kingdom, the seat of the one being fixed at Athens, and of the other at Tripolitza; and above these was placed a supreme tribunal, or court of cassation, which was styled, in deference to words, rather than to describe the thing, the areopagus. A Greek, M. Clonares, formerly minister of justice, was named president of the areopagus, and another Greek, M. Polyzoides, vice-president; but the Greeks complained that too many Bavarians had found their way into the subordinate departments. The institution of trial by jury was deferred for the present, in consequence of difficulties which stood in the way, the principal of which probably was, the total want, in the great body of the people, of those habits of enlightened and conscientious thinking and acting, without which trial by jury is neither an useful nor a safe institution. Public journals, however, were increasing in number, and their freedom of remark was already producing proceedings against the press. Such proceedings were instituted against the *Soter*, or *Saviour*, a newspaper published at Nauplia, on account of its animadversions on certain administrative changes introduced by the government. The writer of the article acted as his own counsel, and obtained an acquittal.

The rebellious movements, which had disturbed Messenia during the preceding year, and had led to the trial and condemnation of several of the ringleaders, were brought to an end. The two *Paploutas*, whose sentence of death had been commuted into twenty years' imprisonment, as chiefs of the insurrection in Messenia, and who had

escaped from the fortress of Navarino, were arrested in the woods of Arcadia. The celebrated Klephtis Condovounissios, whose name figured much during the trial of Colocotroni, and for whose capture a great reward had been offered both under Capo d'Istrias, and the regency, but who had managed to elude the vigilance of these governments, assisted by the peasants, having ventured back to his old haunts in the province of Olympia, intelligence was immediately given to the government, who sent a large force against him so as to surround his whole beat. This they accomplished so effectually, that he was obliged to intrench himself behind an old building, where, after being mortally wounded and having two of his band killed, he was taken. The rest of the band were sent to Tripolitza, and the effervescence in the province immediately abated. The monarch Christides, a creature of Coletti, who was not himself in the possession of popular favour, was accused of secretly fomenting these disturbances, and he was summoned to Athens to render an account of his conduct.

On the 1st of June, king Otho having come of age assumed the reigns of government, and the regency deposited its functions in his hands. His majesty announced his accession by a proclamation, in which, after putting the Greeks in mind of the benefits which had already been conferred, and the wounds which had already been healed, by their new institutions and the impartial action of a regular government, and after admitting the innumerable ameliorations which still were necessary, before the traces of misfortunes endured for ages could disappear, he thus

stated the rules by which his policy was to be guided: "This day, the period at which I fully assume the reins of government, I again promise you always to protect the holy religion of my subjects, and to be the sure support of their holy church,—to grant justice to all—to be faithful to the laws—to protect, with the divine assistance, your liberties, your rights, and your independence, from all attacks—and, in the whole of my administration, to have before my eyes your happiness and your glory. With unchangeable firmness I will preserve order and public tranquillity; for without these security cannot exist. My royal-grace shall be granted to all those unfortunates, who, by sentences of the tribunals, are at this time deprived of their liberty. But the rigour of the laws shall be put in force against those who in future shall dare to compromise the tranquillity of the country; the security of the kingdom demands this. Far from you be all passions, all discord, and every unworthy action: be united for ever. I will take good care for the reform and perfection of the laws, and, I will, with all my power protect your property, your legitimate liberties, and endeavour to consolidate them gradually by institutions and laws adapted to the state of the country, and to the just wishes of the nation. On every occasion I will evince my profound veneration for the Eastern church; and on this point, in respect to the throne of Greece, as far as regards my posterity, I will take particular care and consideration. I will devote my attention to the schools, and take a special care for their increase and amelioration. To the arts and sciences I will give every

succour of which they have need, that they may again revive in Greece, their ancient country and glory. I will endeavour in every way to augment the happiness of the country, to encourage industry and commerce, to supply the defects of the administration: especially will I take the greatest care for the improvement of the public resources, and with unwearied study endeavour, as soon as possible, to create an equilibrium between the revenue and the expenditure. I will always have before my eyes the sacrifices that every one has made for his country, but the extent of my consideration must be limited by the means which exist."

The accession was followed by a change of ministry, which left count Armansperg triumphant. Of that nobleman's colleagues and opponents in the regency only general Heideck remained. The general had not merely shared in the unpopularity of his associates, Messrs. Maurer and Abel, but had to bear a large burden of public odium of his own, because he had charge of the military department; and nothing so raised the choler of the Greeks as the presence of foreign troops, and the obstacles which they presented to the promotion of native officers. On the day of the king's accession appeared a decree, which conferred on count Armansperg the dignity of arch-secretary of state. The powers of this new office seemed to approach to those of a viceroy, and invested its holder with a general control over the whole government. He was *ex-officio* president of the council, in the absence of his majesty; and it was his province, on such occasions, to communicate to the king the result of the delibera-

tions, with his own observations upon them. His chief attribute, however, was declared to consist "in communicating with the other secretaries of state, so as to establish a perfect understanding in the direction of the different ministerial departments, and to prevent or settle any differences which might spring up among them, and to watch, under the royal orders, over the uniformity of the system of government." The arch-secretary of state was to address all his reports directly to the king; the secretaries of state were not to do so, except when especially authorized. The latter were said to be independent, each in his own department; but, at the same time, the arch-secretary of state had the inspection and control of all the branches of the administration without exception. He was authorized therefore to require information and call for an account respecting any object whatsoever, and to prepare the execution of his majesty's orders. All the affairs of the kingdom, which required the approbation and decision of the king, and especially the reports and proposals regarding them, were to be laid before his majesty directly by this high officer, who was likewise made keeper of the great seal of the kingdom, and as such his signature was necessary to all acts receiving the royal sanction. The powers of the arch-secretary of state went still further; for the decree bore:—"We invest him, besides, with the power of suspending the execution of orders or measures emanating from any authorities of the kingdom, until he receive our orders relative thereto, or have, after consulting the competent secretary of state, made the necessary modifications.

In exceptional and urgent cases, the arch-secretary of state may give orders *proprio motu*, whenever he is expressly empowered by us. In such cases, we shall always give notice thereof to the council of ministers. The authorities shall have to abide by the orders thus given by the arch-secretary of state, who shall let us know their purport, and be responsible to us concerning them."

Under such an officer there could be no independent ministry; no political enemy could stand before such a viceroy: and it was not to be forgotten that what Greece required was, firmness and unity in the administration, and that she was in no situation to undergo the experiment of being subjected to party leaders, "jostling by dark intrigue for place." Coletti, thus superseded in the presidency of the council, was appointed ambassador to Paris. General Heideck and general Lessuire, the minister of war, returned to Germany. But these changes did not diminish the displeasure of the Greeks at seeing so many offices in the hands of foreigners. The very elevation of count Armansperg to the presidency of the council, although he was the most able and the least unpopular of the rulers whom Bavaria had sent, had been accomplished by the dismissal of a native. Above all there seemed still to be no intention of sending away the Bavarian military, in whose presence and predominance the seeds of murmuring and disaffection were always to be found. While these foreign troops were retained, many of the native bands of the Palicharis had been discharged. In consequence of this there had arisen a great deal of bad feeling

in the Greeks generally, and especially in the soldiery, towards the Bavarian troops,—a dislike easily extended to the government by which these troops were retained, and which, nevertheless, could not deem itself safe in their absence. In the month of March, sanguinary scenes took place, both at Athens and Argos, between the Greek and Bavarian soldiers. In June, a captain of Bavarian engineers, with a small party, fell into the hands of a number of Palicharis, who put every one of them to death. In speaking of such occurrences, the Greek journals deprecated them, principally as being imprudent acts of vengeance which might prevent the accomplishment of an object that might be better secured by energetic applications to the government. All parties among the Greeks looked upon the Bavarians as foreign intruders, ousting the natives from the government and the offices of their own country, and as mere speculators on the resources of the kingdom for their own individual benefit. The fermentation produced by these feelings showed itself among the ministers in acts of open insubordination, and every thing around was favourable to the progress of dissension. The government itself, too, was said not to have the power which it had anticipated. Armandsparg, by the very assumption of supreme ministerial power, had united many interests against him, and was made responsible for every thing which offended public feeling or opinion. It was insinuated that the king himself had become weary of the viceroy under whose protection he had placed his throne, and that the arch-secretary had appealed to the king of Bavaria against the

king of Greece. In the end of the year, the aspect of affairs was so threatening that the king of Bavaria in November, left Munich for Greece, to lend to the inexperience of his son the weight of his personal influence and advice.

TURKEY, during the present year, remained unchanged in her relations to the great European powers. Laid prostrate before the arms of her conquering vassal, the Pacha of Egypt; deserted even in the agony of her danger by Britain and France, who pretended, nevertheless, to be jealous of the Russian ambition and of the growth of Russian influence; saved from destruction, when the victorious enemy was already approaching the shores of the Hellespont, only by the arms of Russia; the Ottoman Porte had been compelled, by the voluntary abandonment of the rest of Europe, to throw herself helplessly into the embrace of the autocrat. It would have been unnatural in Russia to have lost the opportunity which was thus presented, or to have lent her aid without any view to her own interest; it would be still more unreasonable to blame Turkey for submitting to terms, which she could not refuse without insuring her own destruction; and more unreasonable than all would it be, if that blame proceeded from powers who had failed to interfere for her protection, when that interference would have saved her from the necessity of accepting the services of a more dangerous ally. The treaty of Hoonkiar or Unkiar Skelessi rivetted the control of Russia over the Porte. In the north, the continued possession of Silistria enabled her, at all times, to pour her armies into the Turkish provinces; and, in the

south, she had at last seized the keys of the Dardanelles by Turkey having engaged, whenever Russia should make the demand, to allow no armed vessel, under the flag of any other power, to pass from the Mediterranean into the Euxine. The influence of Russia was not popular at Constantinople, but it was irresistible in the divan. The czar had sent to the Turkish capital a number of medals to be worn by the Turkish troops, who had served along with his own in the camp of Unkiar Skelesi which gave its name to the ill-omened treaty. The sultan had allowed more than a year to pass away without venturing on a step so unpopular as the distribution of these decorations, and the order to wear them could not fail to be commemorative, as these pretended honours were, of the subjugation of the Porte before a power which Mussulmen regarded as their natural enemy. Russia insisted that no longer delay should be allowed to intervene—that the sultan should do that which was certain to injure his popularity; while it regarded a matter, in which Russia herself did not seem to have any interest, unless she were following out the Machiavelian policy of weakening the throne by separating it from the feelings and prejudices of the people, and thus rendering still more absolute the dependance of the sultan upon herself. In the beginning of the year the question of the distribution of these medals occupied many grave deliberations of the divan. Aware that the exhibition of a decoration from so unpopular a quarter would give rise to boundless irritation both in the army and in the public, they would not venture to make so hazardous an

experiment on the patience of the people. The gentle tone of reproof assumed by the Russian minister, on observing the manner in which the gifts of his master were slighted, was gradually altered for the harsh notes of rebuke:—*L'Empereur le veut* re-echoed at last in the halls of the divan. How far its members were influenced by the dread of displeasing Russia may be argued from the fact—that they preferred exposing themselves to the chance of an insurrection sooner than draw down the effects of her wrath upon their heads by disobedience to her orders. Before issuing the decree, they drew off the public attention by repeated alarms of newly-discovered conspiracies, and ordinances against wearing shawls or carrying umbrellas, when the sultan was likely to appear in the streets. Thus the very hatred, which Russia seemed to court, was to aid her projects; a strong reaction in the public mind against the compulsory proceedings of the enslaved government would be the occasion and the means of her final success; the necessity of a Russian garrison to maintain the authority of the sultan against his own subjects would convert Constantinople into a Russian capital.

England and France, whose short-sighted policy had led to these results, the former having actually refused to Turkey the aid which Russia anxiously volunteered, were soon made to feel that Russia did not mean to allow her influence to lie idle. By the treaty concluded between Great Britain and the Porte in 1809, English ships of war were to be allowed to pass the Hellespont only on condition of landing their guns at the Dardanelles. But in that very

same treaty, the Porte engaged that England should enjoy every right and privilege allowed "to the most favoured nations in amity with the Porte." By the treaty of Hoonkiar Skelessi, the Porte agreed to allow the ships belonging to the Russian government free egress from and ingress into the Black Sea. It followed, therefore, that England could claim precisely the same facility of access to the Black Sea, without having occasion to negotiate any special convention to that effect. The case of France stood on precisely the same grounds. The two governments had already ascertained that the stipulations with Russia would be strictly enforced in case of war; they now made an experiment to what extent they would be carried in time of peace. The French government had placed a sloop of war at the disposal of a scientific traveller, M. Texier, in order to enable him to prosecute his archæological researches along the southern shores of the Black Sea. Admiral Rousin applied to the Porte, in the month of June, for a firman, but was informed by the Reis Effendi that it was impossible to comply with his request, the Porte being bound by the treaty of Hoonkiar Skelessi to refuse entrance into the Black Sea to the ships of war of every nation excepting those of her ally, Russia. The refusal was given, because Russia demanded it. About the same time, a similar demand was made by the British minister, for a firman to allow a government steamer, having on board Mr. Ellis, the new ambassador to Persia, and his suite, to proceed through the Dardanelles, to Trebizond. Russia interfered, because the vessel was armed; and the permission was refused on the same

grounds on which it had been refused to France. Shortly afterwards, the earl of Durham proceeded from England as ambassador to the court of St. Petersburg. He took the circuitous route of Constantinople and Odessa. He arrived in the Dardanelles in the *Barham*; the sultan received the representative of the king of Great Britain with every mark of external honour; but his lordship was compelled to change either his route or his mode of conveyance. He was transferred with his suite from the *Barham* into an unarmed vessel, without even a gun to return the salute of a Russian frigate whose colours were flying where the British flag dared not be seen. On arriving at Odessa, his lordship received no salute. When he complained of this, the Russian authorities excused themselves on the plea that, seeing only an unarmed vessel, they had treated it as a private craft; but that out of deference to his lordship, now that it was known to have an ambassador on board, a salute would be fired.

On her western frontier, the arms of Turkey were occupied in putting down an insurrection which broke out in Albania, in December, 1834. The rebels, headed by a chief named Tafil Bassi, were at first treated with indifference as being rather roving bands, intent on plunder than capable of occasioning serious alarm to the government. But their numbers and audacity rapidly increased; during the month of January, they made themselves masters of the important towns of Berat, of Tepe-len, Argyrocastra, and other places in the southern division of the province; and they announced, though it did not appear that they did

so with any truth, that they were acting on the instigation and with the private support, of the viceroy of Egypt. While the insurrection was spreading unresisted in Lower Albania, the pacha of Scutari, who was preparing to march against the rebels, found himself besieged by his own subjects. The inhabitants of Scutari and the adjoining districts rose in arms in consequence of the imposition of an unpopular tax to meet certain military expenses. They attacked the garrison in the streets of the city, and after a severe engagement, they compelled the pasha to retire within the citadel, to which they laid siege. The Porte now set itself in earnest to meet the growing danger. On the 14th of July, the coast of Albania, in the neighbourhood of Scutari, was declared to be in a state of blockade, and a fleet sailed from Constantinople to render it effectual. At the same time, a strong army was collected in Rumelia, under the command of the Roumely Valessi. In the beginning of August he entered Albania, where the insurgents were stationed at the fortress of Alessio, on the south of the Drino, and it was necessary to drive them from that post, before Scutari could be relieved. By the instructions of the Porte, favourable terms of accommodation were offered them. These being refused, the sultan's army attacked them near Alessio, on the 11th of September, drove them from their entrenchments, and compelled them to abandon the fortress. Vassaf Effendi, who had been dispatched from Constantinople to aid the arms of the Porte by negotiation and concession, took advantage of this success to bring the insurgents to terms, and put an end

VOL. LXXVII.

to the troubles of Scutari by granting the demand of the inhabitants that their unpopular pacha should be removed from his government.

The Porte was likewise under the necessity of using its arms against some tribes who had risen in rebellion in the mountains of Kurdistan. The insurgents had defeated Izak Pacha, who was first sent against them, and they then collected, in increasing numbers, in the direction of Diarbekir. The army of the sultan was reinforced, and placed under the command of Redshid Mehemet Pacha. He marched from Karpoot, in the beginning of March, and, on the 18th, brought the insurgents to an engagement. After an obstinate contest, victory declared itself in favour of the sultan. Shookro Bey, chief of one of the insurgent tribes, was killed on the field of battle, and Tehlee Bey was taken prisoner. His sister and mother, who were reported to have performed prodigies of valour, shared the same fate. The terror and disunion, spread among the tribes which had not yet submitted to the sultan's authority, afforded the assurance of their easy subjugation. The garrison of Merdeen surrendered on the springing of a mine, which destroyed an extensive portion of the walls of the fortress.

In Servia, which was still subject to the nominal sovereignty of Turkey, the authority of the governor, Prince Milosch was endangered by demands for a constitution. In the middle of January, the principal primates put themselves at the head of an insurrectionary movement; proclaiming that the Prince had forfeited his rights in consequence of having failed to promulgate a constitution, which he had promised years before,

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and of having neglected to convoke a senate to frame a code of laws. They declared his son to be his successor, under the guidance of a regency till he should attain his majority. The Prince put an end to the insurrection, by promising every thing that was asked; and, in little more than a month, a constitution was established, divided into articles and chapters as systematically as if it had been sent from Paris. On the 10th of April, the new legislative body assembled; and shortly afterwards Prince Milosch repaired to Constantinople, where his first visit was paid, not to the sultan, but to the Russian ambassador.

Although it might not be true that the pacha of Egypt had any concern in the insurrections either of Albania or Kurdistan, these disturbances saved him from any attack by the Porte in his new Syrian acquisitions. On his side, he showed no disposition to proceed further against his sovereign at present; occupying himself with completing the subjugation of Syria, and attempting unsuccessfully to extend his conquests in an opposite direction. He expended large sums and incredible labour in fortifying his new frontier towards Asia Minor. Men and money for his works and armies were exacted with a merciless brutality which threatened the Syrians with becoming mere hewers of wood and drawers of water to their Egyptian masters. At Damascus, the houses were surrounded by his troops during the night, and in the morning every man capable of bearing arms was carried off. The same plan was followed at Beirout, with still more violence. The commander of the Egyptian garrison gave

orders to arrest every Mussulman, young and old, in order to select from among them those who were most proper for military service; and to render this project more easy of execution, all the avenues to the town were guarded, and sentinels were posted at the doors of all the Consulates and European houses. At a given signal, the Egyptian soldiers fell upon the people who were in the streets, burst open the doors of the houses, striking down indiscriminately Turks, Jews, and Christians, without any regard to age or the infirmities of individuals, dragging all to the prisons, which soon overflowed with captives. Some thought to escape maltreatment by offering money; but the soldiers, after having taken what was given, delivered up their victims to other troops of brigands, whose maltreatment became doubled in fury, in the hope to force the sufferers to purchase safety a second time by means of a new ransom. Even the Consulates were not exempt from outrages, and the Janissaries employed by them, notwithstanding the silver-topped canes which serve to distinguish them, were for the most part assailed on the thresholds of the Consulates, and knocked down with blows from sticks, or wounded with cuts from the sabre; after which they were stripped of their clothes, publicly flogged, and cast into prisons.

These conscriptions, and the equally oppressive rigour of the pecuniary exactions, produced partial insurrections in different parts of the country, which were not dangerous, because they lent no support to each other. At one time the mountaineers of Prayaz and the Druses raised the standard of revolt. The latter had already

been decimated, and their villages burned; but, urged by despair, they arose again, interrupting communications, plundering the caravans, and assassinating travellers. Ibrahim himself marched against them at the head of 12,000 men, dispersed and disarmed them. The Ansaries next appeared in arms. They were overthrown at the first encounter by the Egyptian soldiers; they implored pardon, but Ibrahim ordered them all to be slaughtered, except the men capable of acting as soldiers, and burned down their villages. Similar measures exasperated the people more and more; but they had no centralization; they revolted one after the other, and were thus easily reduced again to subjection. Being doubtful of the fidelity of Aleppo, Ibrahim resolved to disarm its population, and he thought that the most effectual mode of proceeding was, to treat every man as being possessed of arms. Every inhabitant, without exception, rich and poor, blind and lame, was ordered to deliver up a musket. Those who had none, and were too poor to buy one to comply with the order, were subjected to the bastinado.

While Mehemet Ali was thus consolidating his authority in Syria, so far as it could be consolidated by excess of violence, he had sent his nephew, another Ibrahim Pacha, and the scherriff of Mecca, into Arabia, at the head of an army of 16,000 men, to attempt the conquest of Yemen. After they had penetrated into the country, the Arabians unexpectedly attacked them near Hadjaz. At the first onset, the Egyptians were thrown into a confusion from which they could not recover. The route was complete. One-half of the army re-

mained on the field, or prisoners in the hands of the Arabians. The remainder fled towards Mecca; but the pursuing enemy having carried a fortress in which the Egyptians had collected their magazines of provisions and ammunition, they were compelled to continue their retreat towards Egypt.

In the beginning of the year the Egyptian dominions of the Pacha suffered greatly from the ravages of the plague. It first appeared at Alexandria, into which it was said to have been brought from Malta. Sanatory precautions were adopted, but the opinions of the people rendered them unavailing, and then they were abandoned as useless. By the end of February, the deaths in Alexandria amounted to 180 or 200 daily. The disease then extended to Cairo, and stretched up the valley of the Nile, sweeping off a great part of the population. In the month of March the daily deaths in Cairo amounted to between 300 and 400; in May they had increased to nearly 2000. The town of Fua, situated on the banks of the Nile, and containing a population of 2,500 inhabitants, was stated to have lost 1,800 of them. The distemper disappeared as the year advanced, but its ravages, joined to the long-continued military exertions of the Pacha, had left Egypt almost depopulated. The inhabitants remaining in the Egyptian villages, and on whom the agriculture of the country depended, were principally women, children, and old men; and in this was probably to be found one cause of the violent conscriptions which were inflicted upon Syria.

In the end of 1834, Feth-Alli Khan, King of Persia, died at Teheran. He had himself designed

his eldest son, Abbas Mirza, to be his successor ; but as he had between forty and fifty other sons, he had provided against a disputed succession by interesting his powerful neighbour Russia in supporting his own intentions. With this view he had required of Russia, at the negotiation which terminated in the treaty of Ghulistan in 1813, that she should formally acknowledge Abbas Mirza as the rightful heir of the Persian throne. A stipulation to this effect was inserted in the treaty ; for Russia could not dissent from a proposal which furnished so fair an occasion for interfering in the political affairs of a neighbour. Abbas Mirza, however, had died several months before his father, leaving a son, Mohammed. On this event, Feth Alli declared Mohammed to be his successor ; but on the decease of the old king, his other son paid no regard to his nomination, and as usually happens in the case of an eastern succession, each of the aspirants set up for himself. Zilla, one of the sons of the late king, who had the good fortune to be at Teheran when his father died, caused himself to be proclaimed Schah ; and as he got possession of the treasury, he encountered little difficulty in establishing his authority in the capital. Another son proclaimed himself king in the province of Schiras. A third did the same at Kermanschah ; and an old Minister, Amuul Daula, collected troops and fought on his own account. Mohammed, at the time of his grandfather's death was at Tabriz

on the frontier. He had along with him a considerable body of troops, to whom he could trust, if he could pay them. He had in his retinue the ambassadors of England and Russia, who acknowledged his rights ; but he had no money, without which his army could not be put into marching order, and it was of great importance to move rapidly upon Teheran, before Zilla should have been able to collect troops or come to an accommodation with his brothers. Sir John Campbell, the British Envoy, relieved him from this embarrassment by raising about 20,000*l.* on the credit of his government as a loan to the Prince. The army immediately marched upon the capital. He encountered no opposition. The usurper submitted at his approach, entreating his forgiveness and protection, and he entered Teheran, and was proclaimed and acknowledged as king without the necessity of firing a shot. A part of the army, commanded by a British officer, Sir Henry Bethune, did not find much more difficulty in reducing the other competitors. After having taken Ispahan, to which one of them had retired, he advanced on Shiraz which opened its gates after a slight resistance, the Princes of Shiraz and Kerman surrendering themselves prisoners. With less promptitude of decision and rapidity of execution, Persia might have become the scene of a lamentable civil war, which Russia could not have failed to turn to her own advantage.

CHAP. XIX.

UNITED STATES—*Proceedings regarding the dispute with France—Extinction of the National Debt—The National Bank—Bill for the expence of fortifications—Lawless proceedings against the advocates of Slave Emancipation—*SOUTH AMERICA—MEXICO—*Unsuccessful attempts against the Government of Santa Anna—Establishment of a Central, instead of the Federal, Constitution—*PERU—*War by the President and Bolivia against the insurgent General—*VENEZUELA—*Military insurrection put down by Paez—*NEW GRANADA—*The EQUATOR—*BRAZIL—*Insurrection of the negroes at Bahia—Capture of Para by the Indians—*BUENOS AYRES—*Appointment of a governor with extraordinary powers—Murder of General Quiroga—Attempts at insurrection.*

WE have already had occasion in the history of France to state the progress of the dispute between that country and the United States regarding the payment of losses sustained by subjects of the latter under the pretext of the Berlin and Milan decrees. We have seen, that, in the message of December, 1834, in which the President communicated to Congress the rejection of the bill by the French Chamber of Deputies, the promises of the government to convoke the Chambers, and again bring forward the measure, and its alleged failure to fulfil their engagements, he suggested to Congress the propriety of retaliatory measures, and of vesting the executive with such powers as an approaching emergency might require. The message altogether breathed a somewhat warlike spirit, but the public mind was much more pacifically disposed. Independent of the consideration that any step of positive

hostility might render incurable a wound which as yet was scarcely visible, the conferring of new powers on the executive, and the producing a state of war which necessarily augments the influence of that branch of a government, were consequences by no means agreeable to the very influential party, which formed, in Congress, the opposition to the administration of President Jackson. Their party politics coincided, in this instance, with common wisdom and the public good. The Senate referred the message, in so far as it concerned other countries, to its committee of foreign relations. The report of the committee, drawn up by Mr. Clay, took a much more favourable view of the conduct of France than the President had done, and set altogether aside his threats of hostile retaliation. As it was admitted to have been arranged between the two governments, after the rejection of the first bill in 1834, that America

should await the farther proceedings of the French Chamber before adopting any other step, the committee professed itself unable to discover on what grounds the President now recommended action without waiting. They could not find in the correspondence that supposed pledge by the French ministers for an extraordinary convocation of the Chambers, on which the President had insisted. The correspondence, in their opinion, amounted to nothing more than an assurance that the earliest practicable opportunity would be seized again to press the bill upon the Chambers; and if the President, when he penned his message on 1st December, had been aware of the French Chambers having been convoked on that very day, a month sooner than had been originally intended, they did not think that he would have used towards France the language contained in the message. The reasons assigned by the French ministry for not calling an extraordinary session of the Chambers were plausible, at least, and, although they might not command conviction, would justify acquiescence in the course of the King, if, as the committee entirely believed, throughout the negotiation, and on all occasions, before the treaty and after the treaty, the King had invariably shown an anxious desire for the satisfactory adjustment of the differences between France and the United States. The opposition to the execution of the treaty had not proceeded from the King of France or his ministers, but from the Chamber of Deputies. Whilst these exertions were making by the French government, the policy of America was to strengthen and second them, and, above all, to do

nothing to impair the force of them. The refusal of one branch of a government to execute a treaty might, no doubt, be regarded as the refusal of the whole government; but when the head of the government evinced the earnestness, which had been shown in this case by the political head of the French government, such a conclusion ought not to be hastily drawn. Upon the whole, the committee were of opinion that the time had not yet arrived, when Congress was called upon to go into the consideration of the very serious question, whether they would enter into any measure for the purpose of taking into their own hands redress for wrongs by France. They were of opinion, that Congress ought to avoid any resort to war, or to measures which might lead to it, and rather wait to see the result of the exertions which the French King was undoubtedly making to carry the treaty into full effect. The Senate, accordingly, unanimously adopted (14th July) the following resolution: "That it is inexpedient at present to adopt any legislative measures in regard to the state of affairs between this country and France."

In the House of Representatives the adherents of the President were more numerous, and commonly formed a majority, though not a large one, on party questions. On the present occasion, however, they anticipated being left in a minority, especially after the unanimous resolution of the Senate; a resolution moreover which showed that no opinion of an opposite character in the House of Representatives would be allowed to become the foundation of any legislative measure. The committee and the

House, therefore, adopted a middle course ; the former declining to enter at all on the consideration of the suggestions or propositions contained in the President's message, and the House confining itself to a simple declaration that the treaty already concluded with France for the payment of the money should not be departed from. Two resolutions—1. That, in the opinion of this House, the treaty with France of 4th July, 1831, should be maintained, and its execution insisted upon ; 2. That the committee of Foreign Affairs should be discharged from the farther consideration of so much of the President's message as relates to commercial restrictions, or to reprisals on the commerce of France," were unanimously agreed to. The recal of the French minister by his government did not alter the course of affairs thus determined, for it was accompanied by an assurance that the bill would nevertheless be presented to the Chambers. Mr. Livingston was merely instructed, in the event of the Chambers refusing the money, to return to America in a ship of war, which would be dispatched to bring him home. The money, we have seen, was not refused ; but the bill granting it was passed with a clause which suspended payment, till satisfactory explanations should be given to France of the President's language. Mr. Livingston returned to Washington. The President met Congress in December, and declared that there was nothing to explain, and even if there was, he would never submit to allow a foreign power to take notice of, or found demands upon, the interior and official communications of one department of the American government with

another. Great Britain then tendered her mediation, and both parties accepted the offer.

It appeared from the report of the Secretary of the Treasury, that the United States had now paid off the whole of their public debt. At the commencement of the present year, the only portion of the $4\frac{1}{2}$ per cents, remaining unredeemed, was the trivial sum of 443 dollars, the money to pay which was still in the bank, where funds had been deposited to pay off the whole of that stock. A part of the five per cent stock, created in March, 1821, amounting to 4,712,060,29, was the only portion of the 123,000,000 dollars of debt existing in 1816, and of the subsequent additions to it which was left to be redeemed. It did not become payable till the 1st of January, 1835, but as there was sufficient money in the Treasury for the purpose, and it was considered beneficial to the public to save, as far as practicable, all the accruing interest, agents had been employed by the Treasury in 1834, to purchase, at par, if possible, the whole of the remaining debt. Between that time and the end of the year, they had purchased about 491,258 35c. of it ; and in October, 1834, notice had been given that the whole of this debt unredeemed after the 1st of Jan. 1835, would cease to bear interest, and would be promptly paid, after that date, on application to the Commissioners of Loans in the several states. Ample funds had been provided for this purpose ; and thus, the whole was to be redeemed in the course of the present year : and the "United States," said the Secretary of the Treasury, "will

present the happy, and probably, in modern times, unprecedented spectacle, of a people substantially free from the smallest portion of a public debt."

President Jackson, encouraged by the addition which the elections of 1834 had made to his small majority in the House of representatives, continued his determined hostility to the bank of the United States. The secret of his animosity to that institution was the conviction that the bank and its influence, widely disseminated by its numerous branches, were in opposition to his administration. We have had occasion to mention, in our last volume, the strong measures which he had adopted against it, and which the senate had voted to be illegal. In his message at the opening of the present session, he attacked it in language most virulent and abusive, which would have been applicable only to some traitorous conspirator against the state. "Created for the convenience of the government," said the President, "the bank has become the scourge of the people. Its interference to postpone the payment of a portion of the national debt, that it might retain the public money appropriated for that purpose, to strengthen it in a political contest—the extraordinary extension and contraction of its accommodations to the community—its corrupt and partizan loans—its exclusion of the public directors from a knowledge of its most important proceedings—the unlimited authority conferred on the President to expend its funds in hiring writers, and procuring the execution of printing, and the use made of that authority—the retention of the pension money and books after the selection of new agents—the

groundless claim of heavy damages, in consequence of the protest of the bill drawn on the French Government, have, through various channels, been laid before Congress. It seems due to the safety of the public funds remaining in that bank, and to the honour of the American people, that measures be taken to separate the government entirely from an institution so mischievous to the public prosperity, and so regardless of the constitution and laws. By transferring the public deposits, by appointing other pension agents, as far as it had the power, by ordering the discontinuance of the receipt of bank checks in payment of the public dues after the first day of January next, the executive has exerted its lawful authority to sever the connexion between the government and this faithless corporation." He recommended that Congress should farther prohibit the receipt of the notes of the bank in payment of taxes, until the withheld dividends were repaid, and should repeal all laws connecting the government or its offices with the bank, directly or indirectly.

However decidedly the Senate was opposed to the conduct which the executive had adopted in regard to the bank, the President's majority in the House of Representatives insured to him ultimate success in the contest, for the existence of the bank depended on a renewal of its charter: that renewal could not be effected without the concurrence of both Houses; the House of Representatives had already adopted, in the previous session, although only by a small majority, a resolution to the effect, that the bank should not be re-chartered; and the subsequent election had added to that ma-

jority. The Directors, therefore, being now convinced that the charter would not be renewed, were occupied, during the present year, in winding up its affairs in the manner least likely to be de-

trimental to the community. By the annual report made up to the 1st December 1835, it appeared that the following changes had been made in its affairs, during the preceding six months :

	1st of June. Dollars.		1st of Dec. Dollars.		Difference. Dollars.
Loans.....	38,787,793 57	....	36,792,975 37	....	1,995,181,80
Bills of Exchange	24,854,852 47	....	18,351,282 66	....	6,503,569 81
Foreign Funds ..	2,007,146 45	....	212,272 58	....	1,794,873 87
Specie	13,912,577 47	....	8,749,920 65	....	5,162,56 81
Deposits	12,358,958 68	....	5,381,698 42	....	6,977,260 26
Circulation	22,009,474 40	....	22,113,902 66	....	104,428 26
Debts of State Banks	2,326,366 95	....	4,535,924 54	....	2,209,557 59

Whenever the bank could do it safely, the debts were sold in large masses, on long credits of from one to four years, so as to enable the purchasers in turn to extend the same indulgence to the individual debtors. In this way the bank

disposed of its debts at sixteen of its twenty-seven branches : it closed other five without any sale. The various arrangement for winding up its affairs left it, at the close of the year in the following condition : its means were,

	Dollars.
Its remaining loans.....	14,510,748 20
Bills of Exchange.....	18,351,282 62
Foreign funds	212,272 52
Specie	8,749,920 56
Notes and debts (current) of other banks	4,535,924 54
Banking houses	1,076,581 87
Real estate	1,691,256 63
<hr/>	
The claims upon it were	49,313,168 08
Notes in circulation	22,113,902 66
Deposits	5,542,533 44
<hr/>	
	27,656,436 10
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	21,656,436 10
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The last night of the present session of Congress furnished an instance of an important part of the public service being left unprovided for, because the President's friends in the House of Representatives took offence at the Senate for insisting on keeping

the President within the limits of the constitution. A system of fortifications had been in progress throughout the country for some years past. An annual appropriation for this purpose was therefore regularly made, the bill specifying the sum ap-

plicable to each fort, and whether for building, for repairs, or for arming, and the amount for each. To meet this object, a bill, designated the Fortification Bill, passed the house early in February, and was sent to the Senate. The expenditure authorised was there increased, on the suggestion of the Secretary at War, and returned to the house on the 24th of February. On the night of the 3d March, the last day of the session, and a few hours before the adjournment, the House of Representatives added a clause appropriating 3,000,000 dollars for the use of the war and naval departments generally, to be expended under the direction of the President as he might deem it necessary. The Bill, with this novel provision, plainly intended to increase the influence of the President, was immediately carried back to the Senate. The Senate immediately rejected the proposition, on the ground that it transferred to the President the legislative powers of Congress, in violation of the spirit of the constitution—that it placed at his control a large sum of money without specifying in what manner, or for what purpose, it was to be expended—that it was incompatible with the usages of the Government, inasmuch as Congress did not and could not rightfully appropriate the public money except for specific purposes, to be enumerated in the bill. Both bodies remained inflexible, the Senate refusing to pass the bill with this general clause, and the House of Representatives refusing to pass it without the clause. Committees of Conference were appointed. They agreed upon a compromise, by which an additional sum of 800,000 dollars was to be granted, and the objects specified.

The house however refused to act upon the report, on the ground that it was presented after twelve o'clock at night, when their functions as representatives had expired. The bill was therefore lost. It provided for the appropriation of nearly 2,000,000 dollars for fortifications, &c.; but, in consequence of its failure, there was no appropriation for, and no money could legally be applied towards, either the repairing of works already finished, or the completing and arming of those which were in the course of being constructed, and this, too, at a time when the party, which brought about this result, was talking of war with France as a very possible occurrence.

During the present year, the internal relations of the United States exhibited more glaringly than on former occasions a lamentable want of habitual respect for law, whenever passion or interest rendered it desirable to throw off its restraint. The abolition of slavery had begun to find proselytes in the Northern States, which had no slaves: it was viewed as an enormous offence by the Southern States which depended upon slave labour. The agitation of the question did not merely affect their pecuniary interests; it exposed, or they believed that it exposed, their lives and properties to destruction; to state, and much more to defend the proposition—that slaves ought to be emancipated—was treated as an overt act of a conspiracy to plunder and murder the white population by producing a negro rebellion. The alarms of the slave-states were greatly aggravated by the ministrations of a missionary named Thompson, who had been sent out by select knots of abolitionists in this country to

preach in America the gospel of emancipation. He did not venture into the Southern States; but he held meetings of the friends of the cause in New York, and they felt their way in the South by pamphlets and tracts. In all this there was no violation of the laws: but the slave holders of the South converted their own fears and opinions into law, which they administered at their own hands by violence and bloodshed, while the public authorities of the general government were obliged to connive at the practice of this law of brute force. In Charleston, South Carolina, the mail was seized by the populace, and all the publications deemed by them reprehensible were abstracted and committed to the flames. The Postmaster of the city was forbidden to circulate in future from his office any such papers. He assented, until he should receive instructions from the Postmaster-General; and the latter replied, that he could not condemn him for the act. In the mean time the Postmaster at New York determined that he would not forward any publications on the subject of slavery; he suppressed all that he deemed incendiary, and the Postmaster-General refused to condemn him. Thus, in a department of the Government established by law, and recognized by the constitution, the subordinates of the department were allowed to assume the right of judging and deciding on what papers were proper to be conveyed or distributed by means of it. At Georgetown, in the same state, a man was detected circulating publications on the subject of slavery. The people became excited: the civil authorities arrested the man and set him

to prison. A mob was raised and surrounded the gaol. The military were called upon to defend the prison; but the rioters would not disperse, until the magistrates assured them that the accused should not escape, and that the laws were sufficient to punish him.

In the state of Mississippi the proceedings, originated from the same spirit, were infinitely more atrocious, and superseded everything like regular government. Not only all forms of law, but all courts of justice, were set aside; the white inhabitants, dispensing life and death at their pleasure. At Livingston, in Madison county, Mississippi, two persons alleged they had overheard a couple of negroes conversing about an intended insurrection. This information was made public, and expresses were sent to the adjoining counties. The citizens of Madison held a meeting at Livingston, to concert measures against the supposed conspiracy. The two negroes were examined; but the evidence being insufficient to satisfy the people of their guilt, they were remanded to prison for further examination. On the following day, however, many of the citizens becoming sensible of the great danger, and convinced of the guilt of these two, seized and hung them without further ceremony. Forthwith a committee was organized consisting of thirteen of the most wealthy and respectable farmers. To this committee of farmers was committed unlimited power to deal as they thought fit with all suspected persons, whites or negroes, to try, condemn, and execute, at their pleasure; the citizens unanimously pledging

themselves to support them in all their acts. Parties of horsemen were immediately sent out to scour the country in search of suspected persons, and every man was a suspected person, who was suspected of holding opinions unfavourable to slavery. There was no want of victims, and the law of this revolutionary tribunal secured the sacrifice ; for its principle was that they themselves firmly believed the accused to be guilty, however insufficient the evidence might be in a court of justice, and were determined that none of them should escape by having the benefit of the law. A scene of mere butchery followed during several days. Both white men and negroes, white men, too, belonging to other states, were hung up without remorse, often within a few hours after they had been apprehended. In Missouri, two white men were put to death without judge or jury, and a score of negroes were slaughtered like brute beasts. A similar dissolution of society appeared in the other slave states ; summary executions by "the citizens" became the daily practice of the law ; yet these communities laid claim to be considered as bodies of men living in civilized society, and bore their share in creating a government which was to place itself on a footing with European states. No person would hesitate in flying from American societies like these, to seek protection under the civil institutions of their countrymen the Red-Indians. Every man engaged in the scenes was a murderer ; and if the government of the United States was not possessed of authority, or did not dare to exercise it, to visit them with most rigorous punishment, it bore

melancholy testimony to its value as an instrument to preserve the Union, or to secure the enjoyment of liberty, life, and freedom of opinion.

The administration of this "Lynch law," as it is styled in America—the infliction of punishment, that is, by committees of private individuals, without incurring the delay and expense of a court of justice for the trial of the accused—was not limited to the slave question. At Vicksburgh, in the state of Missouri there was an establishment which had acquired the reputation of being a gambling house. A committee of the inhabitants, without taking any one legal step, ordered its proprietors to leave the town. The latter refused, and one does not see of what offence they were guilty in refusing to obey a mandate proceeding from persons who had no right to give it, unless it be the rule of life and manners in America that every thing is law in any particular place, which a committee of the inhabitants of that place shall declare to be law on and for a particular day. The committee, followed by the other "respectable inhabitants," assaulted the house, to make good their entrance by force. The inmates fired in self-defence from the windows, and one of the assailants was killed. A mortal shot fired in such circumstances upon a furious mob, if it be not justifiable homicide, assuredly was not murder. It was followed, however, by five murders ; for the inhabitants having forced an entrance into the house, instantly hung up all its inmates, five in number, without a moment's inquiry. At New Orleans, a corps of volunteers had been formed for the purpose of watching over the tranquillity of the place

The *New Orleans Advertiser*, spoke of the corps in a way which was deemed by a great portion of its members so highly offensive, that they resolved on inflicting instantaneous castigation on every one of its writers. The office of the paper was therefore entered by force, and its chief editor seized and dragged into the street, where he would have been put to death, had it not been for the timely arrival of the general and officers commanding the corps, who caused the man to be taken to prison, and thereby saved his life. The excitement among these volunteers for the maintenance of "public tranquillity" subsided two or three days after, and the editor was allowed to go to his office and publish an apology for the article in his paper which had given offence. At Baltimore a provincial bank had stopped payment. Some of the leading inhabitants of the town being shareholders, the populace resolved to punish them as "bank robbers," and executed their purpose by pulling down their houses. Fortunately Baltimore is nearer the capital than the Carolinas or New Orleans, and military force suppressed the riots after much mischief had been done, and much blood had been shed. Such a concurrence of events like these was well fitted to excite grave doubts how far the institutions of America had yet accomplished the great end of civilized society, viz the protection of life, liberty, and property, by excluding all private passions and paralysing all private hands in the protection of right or the prevention of wrong, and subduing all minds into habitual submission to the impartial rule and unimpassioned course of the law.

In MEXICO, the military success of the President Santa Anna and his party, which left him in possession of the government at the close of 1834, did not secure the public tranquillity against new disturbances by ambitious factions in a country, where apparently, the only mode of expressing a difference of political opinion was by getting up an armed rebellion. The most tangible mark of distinction between Santa Anna and his opponent seemed to be, that the latter wished to weaken as much as possible the power of the general government, and preserve the independent prerogatives of the different states or provinces which formed the republic. This was a principle, which at once procured them friends among the states, and furnished, in each of them, an instrument for attacking the central government. On the other hand, whether from a conviction that it was the only means of maintaining tranquillity in the country, or from views of personal ambition, it seemed to be the policy of the president to strengthen the central authorities, or to destroy altogether the federal system, which hitherto had produced only dissension and weakness, and to place the whole country under one general government. On the 4th of January Santa Anna assembled the Congress, which had been elected under the influence of his triumph over the insurgents. He addressed to them a long message consisting chiefly of a vindication of his own conduct in regard to the preceding revolution, which, he contended, had been rendered necessary by the mismanagement and dangerous doctrines of his adversaries. He accused them of having acted, in regard to the

clergy, with an absurd imprudence which would have ruined the public peace, compelling reforms which public opinion was not prepared to receive, measures which had never been discussed or considered, even if they had been proper in themselves, and which the government had attempted to impose on an unwilling people by mere physical violence. He asserted that, in putting down that government by military force, he had merely acted in obedience to the will of the people; and he recommended to Congress the passing of an amnesty, for they were now assembled at a time when the factions, which had long distracted the republic, had lost the power of setting up the aberrations of reason as political principles, and dignifying crimes with the name of heroic actions.

The president soon found, however, that neither his own faction, nor that of his opponents, was disposed to remain tranquil. At the end of February, the garrison of the castle of San Juan de Ulloa, at Vera Cruz, revolted, demanding the establishment of a central government and the appointment of Santa Anna, as president or dictator for life. They kept possession of the fortress from the 26th of February to the 10th of March, firing upon the city, and refusing to listen to any proposals, unless Congress should grant their demands. The president's adversaries accused him of being at the bottom of this movement; but he himself totally discountenanced the proceedings of the mutineers; and the latter, not finding themselves supported by the troops of other places, which they alleged they had been led to reckon upon, surrendered on the 10th of March, on condition

that their lives should be spared, with the exception of their leader who was given up to be tried by a military commission.

The opposite faction immediately afterwards appeared in the field in a more formidable shape. On the 23rd of March, General Alvarez put forth at Texia a formal manifesto against the president, calling on the nation to take up arms to remove him as an enemy of the public liberties. Alvarez declared his object to be, the restoration of the Congress which Santa Anna had dissolved, by the election of new senators or deputies as soon as the provinces should be freed from the military tyranny of the president. He offered an amnesty for all political offences, excepting only Santa Anna himself, and his immediate ministers. He communicated his declaration and his demands to the government itself, informing them that he did not consider himself as being arrayed against a legitimate and constitutional government. "General Santa Anna has involved the nation in a labyrinth, from which it is necessary to extricate it or perish. His violent acts have left the republic destitute of legitimate supreme authorities; and it is not decorous that such aberrations, supported by an armed force, should exist among a nation of freemen." The city and state of Zacatecas declared in favour of the revolution, under the influence of Gomez Ferias whom Santa Anna had deprived of the vice-presidency, and who now prepared to effect his reinstatement into office at the head of an army.

The president lost no time in meeting the danger upon both points. General Bravo, who, last year, had himself been fighting

against Santa Anna, was dispatched at the head of a superior force, to stop the progress of Alvarez, who was assembling his followers in the Southern provinces. Santa Anna himself marched from Mexico against Zacatecas in the middle of April, with an army of 6,000 men. He arrived near the city in the beginning of May. On the 6th of that month, he attacked the vanguard, of the insurgents, who had taken up a position outside of the walls, and drove them back into the city. On the 7th, having concentrated all his forces, he advanced upon the town, and tendered offers of an amicable arrangement, which, however, were rejected; and a general battle commenced on the morning of the 8th. The people of Zacatecas defended themselves with great vigour for four hours, when, one of the divisions giving way, and causing confusion in the ranks of the militia, Santa Anna got possession of the city, driving every thing before him. He immediately caused his authority, and that of the government of the city of Mexico, to be acknowledged, and published a decree for disbanding the militia. In the south, the scanty bands of adherents, whom Alvarez had been able to collect, dispersed without coming into actual conflict with the army which had been sent against them.

This ill-concerted and abortive attempt only hastened the result which it had been intended to obviate. Quiet people desired a government strong enough to prevent the incessant recurrence of civil dissensions, so ruinous to industry and commerce; the aristocracy desired a government which would give influence to their property by depending upon their

support; the clergy desired a government which would secure their privileges and their wealth. Immediately after the triumphant return of Santa Anna to Mexico, from the chastisement of Zacatecas, Toluca, a principal city in the state of Mexico, declared itself in favour of the abrogation of the system of a federal government, and of the establishment of a central consolidated government. Santa Anna was to be the head of that government for life; and all existing authorities, who should acquiesce in the new system, were, in the mean time, to retain their offices. From Toluca, the plan was sent to the general government, and by it disseminated through the other States. It was adopted in every part of the State of Mexico, and in most of the other States, even those who had prominently adopted the plan of Alvarez, particularly in Zacatecas. This new constitution undoubtedly had emanated from the friends of Santa Anna, and its adoption in the various States of the republic, had clearly been the result of a premeditated plan. It had been publicly foretold before the president marched against Zacatecas, that this would be the result of his being successful in that expedition. Such a system was the only thing which promised tranquillity to a country, which had been so long distracted by civil war, and governed by the changing fortunes of military leaders; but there was much danger that the new government would find difficulty in making good its authority against inveterate habits of personal and provincial insubordination.

PERU, likewise, again took its turn in the cycle of military revo-

lutions. On the 24th of February, General Salavery, who commanded the garrison at Callao, instigated the troops to declare against the government at Lima, and, on the following day took possession of the city, declaring himself Supreme Chief of the republic. The president, Orbegoso, with about 200 troops, retired a few hours before towards Pasco. Salavery, having added to his own forces the troops under Gamarra, with which the latter, in the end of the preceding year, had been amusing himself with a rebellion, he extended his authority over all the provinces of Peru, with the exception of a small part of the south. Orbegoso, unable of himself to recover his lost power, retired within the limits of Bolivia, and applied for assistance to Santa Cruz, the governor of that small republic. Santa Cruz joined them at Arequipa with a Bolivian army; their united forces entered Peru, and advanced to Cusco, where Salavery's army was stationed, commanded by Gamarra, the usurper himself having remained in Lima, where his presence was necessary to maintain his authority against the odium excited by his arbitrary exactions. The armies met at Yanacocha, on the 13th of August, and Gamarra was totally defeated, the greater part of his troops having gone over in a body to the enemy. Salavery prepared to defend himself in Lima to the last extremity. He called out a levy *en masse* of the province, including all freemen of colour, between the ages of 15 and 45, without exception, and declared that, if his orders were not obeyed, and a stout defence cordially prepared for, he would set fire to the city, as soon as Orbegoso and Santa Cruz should approach it.

IN VENEZUELA, one of the three republics into which the former state of Colombia was now divided, General Paez, who had been elected president in 1831, retired from office in January of the present year; the four years, fixed by the constitution as the duration of the presidency, having expired. In his place was elected señor Jose Vargas, who had requested the Electoral colleges, in a printed address, not to put him in nomination—who now submitted to Congress his weighty reasons for declining the honour which had been conferred upon him by a great majority of the electors—and concluded with accepting the office. At the meeting of Congress on the 1st of March, he gave a very flattering account of the tranquillity and prosperity of the country; he mentioned the establishment during the last year of 100 new public schools and colleges, and the opening of several new roads. The government had made important reductions in the expenditure, even below the estimate of expenses, fixed by the last Congress, and the free exportation of all national produce had been established. In alluding to public credit, he stated that he considered it the foundation of the honour and existence of a state, and that nothing ought to be omitted for establishing and reanimating it among them; but before raising funds for the payment of the interest of the foreign debt, it would be necessary to ascertain the proportion to be borne by them.

To accomplish this apportionment of the debt of the former Columbia among the three states into which it was now divided, commissioners had been appointed in the preceding year. The in-

testine divisions of the Equator having delayed the appearance of its commissioner, New Granada and Venezuela resolved to proceed alone, and early in the present year they had completed their scheme of partition. Proceeding apparently on the population of the states respectively they apportioned the debt as follows: 50 per cent, or one half of the whole, to New Granada; 28 per cent. to Venezuela; and the remaining 21 per cent to the Equator. The whole amount of the debt was stated to be about 6,000,000*l.* to which were to be added 3,000,000*l.* of arrears of interest. The partition was approved of and ratified by all the three states. The debt was thus recognized, but no funds were forthcoming for payment.

The Congress of Venezuela adjourned on the 30th of April, and the state continued to enjoy a tranquillity which was a stranger in South America when it was suddenly thrown into confusion by another of those military insurrections by which restless individuals take vengeance on society for not placing them in offices of power. Paez had established the constitution and tranquillity; but the country contained military chiefs of two other parties, the one that of the late general Bolivar, and the other that of General Marino. These two parties, though generally opposed to each other, united to seduce the military in Caraccas. They were successful, and the government, on the 8th of July found itself opposed by a military revolt. The leaders of the rebels proposed to the President a declaration of nine articles, which went to alter the forms and the persons in the government so as to secure their own supremacy. The President

at once indignantly rejected them, as being incompatible with the constitution and injurious to the dignity of the government. The insurgents then deposed the President and Vice-President, deported them to the island of St. Thomas, and violently assumed the functions of government. The President, Vargas, contrived, before he was taken from Caraccas, to despatch an express to General Paez, investing him with authority to raise 10,000 men, and appointing him Commander-in-Chief. Paez was instantly on the field. He collected troops with great promptitude, and marched direct upon Caraccas. The insurrection had gained no favour in the adjoining districts, nor in the city itself, with the exception of the faithless garrison. Marino who had assumed the government, did not wait the nearer approach of the constitutional commander. He abandoned the Caraccas, which Paez entered, without opposition on the 28th of July, and Vargas was immediately restored to the discharge of his duties as President. The rebels fled towards Barcelona, pursued by Paez. They then retired on Cumana, whither they were followed by a division of the constitutional army under General Gomez. Unable to maintain themselves in that city, they fled by sea to Puerto Cabello, which was in the possession of their adherents. Having there united their forces, they marched to Valencia, where they were attacked, on the 28th of October by General Montilla, and completely routed. The remains of their army shut themselves up again within the walls of Puerto Cabello.

In December, 1832, a treaty had been concluded between the

plenipotentiaries of New Granada and the Equator for defining the boundary between the two republics. It had since remained unratified in consequence chiefly of the intestine commotions in the latter of the two countries. In the course of the present year the ratifications were at last exchanged. In the month of March a census of the population of New Granada was completed. The number of inhabitants was stated to be 1,687,100, being an increase of 458,850, being an increase of more than one-third during the ten years which had elapsed since the previous census in 1825, when the number was 1,228,250. This increase required that an addition should be made to the number of members in the senate and House of Representatives, as according to the constitution, the representation was to be augmented in a certain proportion with the population.

In the republic of the Equator itself, the civil war was brought to an end, apparently by an agreement between the parties, Flores resigning the Presidentship on being preserved in the command of the army. Rocaperte was placed at the head of a provisional government, and convoked a national convention of forty-five deputies to frame a constitution. He himself was elected President. The convention met in August, and its first act was to pass a decree giving the thanks of the nation to Flores, as the founder, defender, and preserver of the republic, declaring him to be not only a citizen of the state, though a Venezuelan by birth, but to be "the first citizen of the Equator," and conferring upon him the office of General-in-Chief, with all the honours, dis-

tinctions and prerogatives which were attached to that post by the old laws of Columbia.

BRAZIL is an empire; but the emperor is a minor, and the regent is elective—the minority of the emperor being thus employed in putting the people through a course of education to prepare them for a republic. The election for that high office, which took place during the present year, was contested between a Senhor Feigo and Senhor Cavalcanti. The former gentleman was elected by a majority of upwards of 890 votes.

Bahia was exposed to great danger, in the beginning of the year, by an insurrection of the negro slaves. The conspiracy had been carefully prepared for some time. The plan of the insurgents was, to set fire to the houses of their masters, and to make an immediate attack on the military guards at their stations. The period fixed on for the attempt, was the night between the 24th and 25th of January, and the operations were to commence towards the morning. They were forced into action, however, at an earlier hour, in consequence of the authorities, in the course of the preceding evening, having been informed of their intentions by a woman of the same nation, who pointed out a house where a number were assembled in readiness. To this place about 20 soldiers and the justice of the peace were sent. The inmates refused to open the door, and on its being threatened to be burst in, they all rushed out, about 60 in number, armed with swords—killed two soldiers—attacked the guard at the palace, and killed an officer. The firing gave the alarm to the other bodies of negroes, who were waiting for the

appointed hour. Although certain that their design had been discovered, they persevered in attempting its execution. They attacked simultaneously the different barracks in the city ; but the military, having been forewarned, were prepared to receive them. The negroes, after displaying much desperate courage, were compelled to seek safety in the open country, leaving behind them a great number of prisoners, as well as killed and wounded.

The town of Para, which had been rising into importance during late years as a place of consumption for British manufactures, was not equally fortunate in warding off a danger which arose from a different source. A native Indian had been put into confinement, on a charge of having committed some offence. His brother, a man of influence among his countrymen, demanded his liberation, and was refused. He then assembled a body of about 300 Indians, and, at their head, attacked the city on the 14th of August. The governor had between 200 and 300 regular troops, and several pieces of artillery, besides a considerable body of volunteers. At the first assault, the insurgents were unsuccessful, and lost their chief. The warfare, for several days, was of a desultory nature, the insurgents approaching the city, and possessing themselves of the best posts and most favourable positions. On the last day of the contest, which was the 23rd, it was discovered that when the invaders found a square which was approachable, and deserted by the owners, they possessed themselves of it by cutting communications through the walls, and so occupying every part of the whole square : by firing from the windows and loopholes, they were enabled to

select their victims, and effectually destroy them, while they themselves remained under the protection of their walls. Commencing a fire simultaneously in different parts of the city, at a time when the inhabitants felt secure under the protection of the government, they produced a panic among the inhabitants, who saw their friends cut down by invisible hands ; and the insurgents, taking advantage of this state of alarm, made rapid approaches through the by-lanes and narrow streets, until they had seized upon the whole city. Then followed an indiscriminate massacre of all white men who fell into their hands, without regarding to what nation they might belong. The greater number of foreigners had taken refuge, in the first days of the danger, on board the shipping in the roads. The British merchants were received on board a sloop of war, which carried them to Maranham. The city was then sacked and pillaged by its savage conquerors, who prepared to make good their acquisition. An expedition sent from Rio Janeiro utterly failed to reduce them to obedience, having either been altogether insufficient, or wretchedly mis-conducted ; and all that the imperial government could effect, was to declare, in the month of November, that the ports of the province of Para were in a state of blockade, and to dispatch some men of war to render the blockade effectual.

BUENOS AYRES itself did not enjoy uninterrupted tranquillity : its leading men seemed to be sighing after greater powers than the nature of the government allowed. General Rosas, who commanded the troops in the country districts, insisted on resigning his command. De Maza, who filled the office of governor till the installation of a

new legislature, followed his example by sending a message to the Chamber of representatives, stating that he could no longer carry on the government, and requesting them to appoint a successor. The Chamber took this business immediately into consideration, and on the following day, March 7th, elected Don Rosas governor and captain-general of the province for five years, giving him extraordinary powers, while he was at liberty to surrender whenever he might judge fit, and only restricting him in one point, by obliging him to maintain and uphold the Catholic religion.

General Quiroga, who had borne an active share in the political fortunes of the state, was murdered, on the 16th of February, along with his secretary, colonel Ortiz, and nine men, composing his suite and escort, at a place called Barranca Jaco, 18 leagues on the other side of Cordova. He was then returning from a mission with which he had been charged by the government of Buenos Ayres, to mediate between the provinces of Tucuman and Salta, and in which he had succeeded. The government of Cordova assured that of Buenos Ayres, that it had taken the most active measures to bring the murderers to justice; but the murder was believed to have been committed on political grounds, as Quiroga was both feared and disliked by the interior provinces. On further inquiry, the government of Buenos Ayres, charged Reinafé governor of Cordova, and his three brothers, with having been the instigators, if not the actual perpetrators, of the assassination. It therefore demanded, in conjunction with the governments of Santa Fé and Entre Rios, that the state of Cordova should de-

prive the Reinafés of their situations, put them under arrest, and hold them at the disposal of the confederation, which would decide upon the time and place for their trial; and they ordered all communication to be put an end to with the province of Cordova, until these commands were complied with. The government of Cordova, acting upon this requisition, proceeded to elect a provisional governor. The ex-governor, Reinafé, and one of his brothers residing in the city, were arrested; the two others, who commanded the northern and southern districts of the province, fled; one of them was afterwards taken, and delivered up some papers, soiled with blood, and a pair of pistols, belonging to general Quiroga.

Later in the year, a colonel Barcala, formerly attached to general Quiroga, was detected intriguing with several persons in Mendoza, to put down the government, and unite that province and San Juan to Chili. Barcala was, at that time, residing in San Juan, and was given up to the authorities of Mendoza—taken there, and put on his trial. He was found guilty, and executed. In his confession, he implicated, amongst others, the minister of San Juan, Senhor Oro, who was dismissed from his office.

Senhor Xavier Lopez, formerly governor of Tucuman, and an adherent of the Unitarian party, attempted to foment a revolution in that province, in which he was countenanced and aided by the authorities of Catamarca, who permitted him to send general Figueroa to the frontiers of Tucuman with 1,500 men under his command. This corps was met by the governor of Tucuman, general Heredia, who, with his brother, at the head of 500 men, completely routed it.

CHRONICLE.

JANUARY.

ERUPTION OF VESUVIUS. — In the earlier part of January, intelligence was received of an Eruption of Vesuvius, which was thus described in a letter from Sorrento. “A new crater having burst out, a stream of red-hot lava issued from it in the direction of Castellamare, spreading itself over several miles in a few hours, its course being marked by flames rising in volumes from the ground over which it flowed. As soon as this devastating torrent reached the vineyards at the foot of the mountain, a paler flame rose at intervals from the stream, indicating, as was supposed, the burning of houses and trees. The heat occasioned by this body of fire was felt at Sorrento. I first drove to Pompeii, then turned off by a road, or rather a lane, through vineyards and orchards, and which became at length so narrow that we got out, and proceeded two miles on foot, till we reached the spot to which the lava was rapidly advancing, being about half-past 10 o'clock p.m. In its course the stream of lava ran through the richest vineyards, and at this moment it was completing its work of destruction in the village of Capo Secco, once consisting, I was told, of 500 houses, now reduced to four; one

of which was that of the curate, more spacious, and perhaps more solid than the rest. It is scarcely possible to imagine, much less to describe the awful character of the scene. An immense body of liquid fire silently, yet rapidly advancing, then the noise of falling poplars encircled by clustering vines laden with fruit, with the glare reflected upon us from the flowing lava, produced an effect altogether so terrific that I was at first more inclined to a hasty retreat than to continue watching the progress of destruction. When however the first impression of terror was overcome, such was the fearful interest of the scene, that I remained on the spot two hours and a half, and it was with reluctance that I quitted even then. According to the computation of Salvator, the “capo cicerone,” the stream of lava must have been a mile and a half broad, whilst its extent from the crater was nine miles with a depth of thirty feet, so that, instead of commencing with the base of the houses, it approached and flowed at once over their roofs; entering the doors and windows till the whole were buried, the roofs first falling in with a loud crash. Three houses were thus destroyed whilst I stood on the spot: here the lava flowed into

a well causing the water to boil up over the edge. The heat was too intense to stand (for a moment) within a few feet of the advancing lava. The King and Queen and the Court, as well as a throng of persons of all classes, with groups of villagers, the unhappy owners of cottages and vineyards now no longer theirs, were at the same time spectators. On the preceding night the lava had flowed at the rate of twenty feet in eleven minutes, but now was somewhat less rapid in its course. The inhabitants had time to save all moveables, and for a distance of some miles from the course of the lava, the houses had been prepared for destruction, even to the removal of doors and windows. I was much struck by the apathy, or it might be the resignation of the peasantry, most of whom spoke in terms of indifference or resignation. One I heard say, "*Pazienza! Pazienza! é un castigo di Dio!*" According to Salvator, the lava, which continued flowing more or less for six days, destroyed about 300 acres of valuable land, and injured or destroyed nearly 800 houses. At 2 o'clock a. m. I returned to Castellamare, the road being crowded with persons of all classes, some bearing torches, some in their night-caps, others bearing off their furniture or vine-poles, anxiety depicted on most countenances, as none could say where the lava might not reach. Pompeii was considered not to be free from the danger of a second interment, Naples herself not exempt from risk. The old crater had previously fallen in, and had continued for a week, throwing out ashes in such quantities as to envelope many neighbouring districts in darkness.

2. LOSS OF A STEAMER. A

large Dutch steam vessel, called the *Pylades*, which had sailed from Holland for the East Indies, suddenly sunk within a few miles of the Dutch coast, while every thing on board was in good order, the engines in full play, and the weather favourable. The vessel had sustained no damage at sea; the accident happened in sight of the coast, amidst the fishing boats and other vessels sailing in different directions; but the water entered so rapidly, that the two pumps set in motion by the steam engine and the other pumps, which were plied with great activity, could not avail. It was said that a common accident, an ordinary leak, such as is not uncommon in new ships, was out of the question; that there must have been different leaks in places where they could not be expected, or could not be easily come at; and that these leaks could not have been caused by accident, while the vessel was proceeding quietly in deep water, without having had to suffer any thing from stormy weather or rough seas. The crew, consisting of about forty men, were saved by a fishing boat, with the exception of one. The vessel had been insured in London for 25,000*l*, and in Amsterdam for 7,000*l*. A similar occurrence once took place with a river boat, which sunk below Nimeguen, and in which it was afterwards found, a great number of holes had been bored, and stopped with leaden plugs.

9. PUBLIC INFORMERS.—*Worship street Police office*.—During the election for the City and metropolitan boroughs, the public informers discovered a new source of gain by prosecuting the placard-bearers of the candidates, many

of the placards being without the printer's name;—an offence against the Printers' Acts, 39th and 51st Geo. III., which imposes a penalty of not less than 5*l.*, or three months imprisonment, for printing or publishing any paper without the printer's name and address, or for assisting in publishing or dispensing the same, whether gratis or for money. The act directs a moiety of the penalty to be paid to the informer, and that any constable shall assist in apprehending the offender, if called on so to do, under a penalty of 5*l.* Daniel Fitzgerald, a ragged half-starved looking Irishman, was brought before Mr. Twyford, and convicted in the 5*l.* penalty for carrying one of Mr. Serjeant Spankie's electioneering placards for the borough of Finsbury; but he was liberated the same evening, the money having been paid by the learned serjeant's committee. Before he went away, Sheering, the informer, who had received half the penalty, gave him a good meal and a trifle in his pocket. The good treatment, which he was fortunate enough to experience on that occasion, seemed to have encouraged him to perform a similar good turn to some other poor placard-bearer, and obtaining for himself the 2*l.* 10*s.*: for he came to the office yesterday to inquire whether he would be justified in taking up another person, as he had himself been taken on Tuesday. Having learned that it was competent to him or any other person to do so under the Printers' Act, he went away, and returned some time afterwards with one of his countrymen in custody, and a board with the placards of Mr. Duncombe, the rival of Serjeant Spankie in the contest for Fins-

bury. "An Officer (to Fitzgerald). Why, you are the man who was convicted two days ago for carrying Serjeant Spankie's placard? Fitzgerald. Yes, I was, sure enough, and he was carrying this. Sure, it's only blood for blood." The board was produced, with a placard on each side—'Electors of Finsbury, rush to the poll on Thursday morning, and vote for Duncombe and Reform.' The defendant being asked who employed him to carry the board, said he was employed by Mr. Duncombe's committee. Mr. Twyford, convicted him in the penalty of 5*l.*, and as he had not goods upon which a distress could be levied to that amount, he was ordered to be committed to prison for three months, unless his employers paid the money for him. The defendant was then locked up, and notice of his detention sent to Mr. Duncombe's committee.

Several men who had been taken into custody by Sheering, Rawlings, and other common informers, for carrying about the placards of Captain Burton, R. N., the new candidate for the representation of the Tower Hamlets, were brought before Mr. Grove for examination, when several of the Captain's friends and committee attended. All were discharged, however, except three, named James Blackburn, William Martin, and James Olard, who were convicted in the mitigated penalty of 5*l.* each, and, in default of payment, were ordered to be imprisoned for three months. Another man was brought up, who had been found parading in Finsbury square with two of the city election placards slung upon his breast and back. "Poll early for Lyall, Ward, and Wilson;" and "Citizens of Lon-

don, support your King, and save the Constitution, by voting for Lyall, Ward, and Wilson." The printer's name did not appear upon either. A conviction was pronounced against the defendant, and a gentleman who attended from the committee of the three candidates paid the 5*l.* penalty, half of which was handed over to the informer, who then set off in quest of other victims.

A man, named John Bellamy, was charged under similar circumstances by Aaron Rawlings, the informer, with carrying the placards of Captain Burton, the new candidate for the representation of the Tower Hamlets. The informer had brought him from the Curtain-road with a board on which were two placards; one of them—"Captain Rider Burton, R. N., for the Tower Hamlets, the avowed enemy of flogging and impressment, and the stanch friend of the shipping interest;" and the other "Brother electors, Who allowed the Weights and Measures Act to pass without opposing it?—Dr. Lushington." Upon the last there appeared the printer's name and address, but not upon the other. The Magistrate told the defendant that he must be convicted, but ordered that he should be again brought up in the evening, and notice of his detention given to the Captain's committee. Some of the committee afterwards came to the office with a view of getting the defendant released, but on their arrival they found a formidable array of placards, the informers having, in the mean time, apprehended no fewer than six poor fellows who were carrying about the Captain's placards. The penalties then claimed amounted to 30*l.*, and the gentlemen finding

the matter more serious than they had expected, retired to take further advice, and the decision was postponed. It was remarked that Mr. Duncombe's man, brought up under such questionable circumstances by his countryman, Fitzgerald, was the only one of the ultra-reforming party taken into custody, the informers by profession having meddled with none but candidates generally understood to be Conservatives.

9. CORONER'S INQUEST.—An inquest was held, in the Bethnal Green road, on a child which had been killed by its mother. Mr. Toombs deposed that the deceased, who was about eighteen months old, was the daughter of Mr. Charles Clarke, who, with his wife, and another child eight years of age, occupied rooms in the house of the witness. On Thursday last, about noon, the father went out: he returned home between 1 and 2 o'clock that morning; when, in a few minutes, he came down stairs, much excited in his manner, and asked witness for a light, with which he hastily went into his room. Witness, from hearing a person up stairs in a confused state, and stamping with their feet, proceeded into Mr. Clarke's room, who was almost frantic, and exclaiming "Murder, murder, she has killed my child." He was then leading the mother of the deceased out of the room, who appeared much distressed. He asked her in witness's presence, "if she had done it." She replied that she had. Before that, witness had seen the deceased in bed, where she was lying under the clothes, which were covered with blood. There was a deep incision across the deceased's throat.

The child appeared to have been dead several hours. The mother then sat by the bed-side in her night dress, when her husband said to her—"Oh, Anne, our cup of affliction is indeed full." She answered—"Ah! the devil has been very busy with me all day." At this time the husband's father and mother came, and they then asked her again how she could do it, when she repeated her former remark. He asked her if it was from any conduct of his she did it? She said no. She also said that she did it with a razor, and that after she had done it, she put the razor in the drawer, where it was usually kept. The grandfather and witness found the razor in the next room in the drawer. It was shut up, and the blood on it was dry. Witness said to the mother, "The razor is bloody." She stated in reply, "That she did not wipe the blood off." Witness had not seen any thing in her manner previous to the act which could induce him to suppose she was insane.

By the Jury.—He never heard her make any complaint that she was uncomfortable. She seemed to live happily with her husband.

By the Coroner.—She said that the act was committed before dark, between 3 and 4 o'clock in the afternoon. She was very fond of the child.

Margaret Wooding, widow, No. 77, Pleasant-row, Bethnal-green-road, deposed, that she had known the mother of the deceased above three years. Within the last four months she appeared very different in her manner. She was formerly very gay, but latterly became very low spirited. Witness saw her on Wednesday last, when she called on witness. The de-

ceased was with her, and she appeared very much attached to the child. She wrapped it up carefully, when she took it away. In her conversation with witness on that occasion, she appeared frequently lost. She made no complaint of her husband, except of his being out late at night, and she remarked that she had a terror on her mind from being left alone. She did not complain of being reduced in circumstances, but of having seen better days. The deceased was weaned some weeks ago, her mother being now within a few weeks of her confinement, and appearing to suffer much in her mind. She formerly possessed above 4,000*l.*, of property, which was all gone, owing to reverses of business: about six weeks ago all their goods were seized on account of a debt, which compelled them to live in ready furnished lodgings.

The Jury agreed to return a verdict of "Wilful Murder against Anne Clarke, the mother of the deceased," who was then committed to Newgate on the Coroner's warrant.

14. ELECTION RIOTS.—At the close of the poll at Halifax, the yellow, or reforming party, attacked various houses, public and private. In some they contented themselves with breaking the windows only; in others, they entered the premises, broke all the window frames, window shutters, inside and out, and other wood-work, and completely demolished every article of furniture within their reach. The mob, 300 in number, entered the house of Mr. J. Norris, at once, through the dining-room windows, library windows, and by breaking down the principal door, through that

opening into the entrance hall. All the windows were broken to pieces. The window frames in many places, and the whole furniture in the dining room and library, and all the pictures, with the exception of some six or eight, which were mostly injured, were destroyed; the plate was stolen; book-case in the library was smashed, and quantities of books were taken from the shelves and torn to pieces. These, with music books and prints, were scattered over the lawn in front of the house and in the garden, till it had the appearance of being covered with snow. A grand piano-forte was smashed to atoms, along with other musical instruments; the marble mantelpiece was broken, and, in short, a most complete work of devastation was accomplished. A similar attack on the vicarage was repelled. At Shaw Lodge, the residence of Mr. J. Holdsworth, the mob entered the house and demolished all before them. At the Field, Mr. J. Staveley's house was attacked and entered, and all the furniture, pictures, &c. were demolished, as well as the windows and window frames of the house and warehouse adjoining. The houses of Mr. Atkinson, Mr. C. and Mr. S. Rawson, and the Pigeon, White Swan, Talbot, King of Prussia, Blucher, Britannia, Sun, Mechanics' Arms, White Horse, White Hart, Shakspeare, and King's Head Inns, were all attacked with different degrees of damage. The mob did not disperse till the arrival of a troop of the 17th lancers.

In Scotland serious rioting took place at Jedburgh and Hawick, polling places for the county of Selkirk, when Captain Elliot, the

ministerial candidate, was defeated by lord John Scott. On the morning of the 17th, the second day of polling, the Jedburgh mob having learned the probable success of the conservative candidate, began to assume a surly aspect. Lord John Scott on making his appearance was loudly hissed; and, when leaving the town, a few ruffians assaulted him, by throwing pieces of ice, &c., but fortunately without doing him any injury. In the afternoon, when the certain defeat of captain Elliot's party became evident, symptoms of restlessness were displayed by a great part of the crowd, and several voters and others, in the interest of his lordship, could only with great difficulty reach the polling place; later in the evening the conduct of many of those assembled became more outrageous, and several of the friends of lord John Scott were struck and abused by the mob, but, by eight o'clock, the crowd had left the streets, and the town returned to its wonted state of tranquillity. At Hawick, the proceedings of the mob were much more riotous. On the 16th, the first day of polling, notwithstanding the strong constabulary force sworn in for the occasion, the crowd assembled got very clamorous, and used every sort of annoyance to the voters for lord John Scott, such as pushing, spitting, throwing stones, snow balls, and tearing clothes, &c., while they cheered the voters for captain Elliot. As the day advanced the rabble got worse and worse—insulting and maltreating all those voters and others friendly to his lordship's cause, whom they could get at, in defiance of the strenuous efforts of the sheriff and a number of the justices of the peace, the

bailies and others. The sheriff ultimately found it necessary to read the riot act. During the whole day, and till after eight o'clock at night, the band employed by captain Elliot's committee paraded the streets of the town, which tended much to keep up the spirit of intimidation and outrage. On closing the poll for the day, the mob surrounded the Tower Inn (where lord John's voters were), and whenever any person attempted to leave the inn to go home, he was immediately attacked and abused, in consequence of which a great number were compelled to remain in the inn during the night. The doors of the inn were frequently attempted to be forced open, most of the windows were broken, and in the course of the night, the windows of the houses of many of the inhabitants were riddled with stones. An additional number of constables were sworn in on Saturday. The band was again in full motion—and captain Elliot was present. The mob appeared still more desperate than on the previous day, and every means of intimidation were practised to prevent lord John's voters coming forward,—in one case where a voter in that interest was going to the booth in a carriage, the crowd attempted to upset it—and upon his voting and returning from the booth, he was seized in defiance of the exertions of the constables, carried to the Sandbed, and abused and maltreated. He was at length, with the greatest difficulty, rescued, and got into a shop,—in doing which, several of the constables and others were struck and wounded, and had their clothes torn from their backs. In rescuing this voter, several of the farmers and others rendered

essential services. At this time the town was in such a riotous state, that the sheriff found it necessary again to read the riot act, after which the polling proceeded with less violence, till four o'clock when it closed. Owing to the outrages committed on the preceding night, and the excited state of the populace, great apprehension was entertained for the safety of the town and the inhabitants during another night, and it was deemed advisable to march a troop of the Scots' Greys into the town about seven o'clock, which had the effect of preventing further disturbance. Captain Elliot, the defeated candidate, in his address after the election, thanked the populace for their orderly conduct!

18. DEATH OF THE INDIAN PRINCESS.—The favourite squaw or wife of the Michigan chief Muk Coonce, who had come to this country regarding a treaty for the sale of territory, died at her lodgings in the Waterloo-road, Lambeth. Her name was Ah-mik-waw-begun-o-je (Beaver, or the diving mouse). She was perfectly sensible of her approaching end, and refused to take any medicine, saying that the Great Spirit would be offended, if she tried to evade his summons, and that not having to her knowledge committed a single evil action, she was not afraid to obey it. In consequence of the apprehensions of the chief that she would not be buried as became her station, she was received into the christian church and baptised on Sunday morning, a few hours before her death, by the name of "Antoinette O Whow, O Qua." On the same evening that she died, and for some time after her demise, the grief of her

husband knew no bounds, whilst her sister and followers joined in a wail of heart-piercing agony. The chief caught the dead body in his arms, entreating her with the most passionate expressions not to leave him alone in a strange world. On Monday and Tuesday several persons were allowed to see the remains, which excited much admiration for the beauty of the features. The body was in an elegant black coffin, richly ornamented, the plate of which bore the following simple inscription :—

“ Antoinette O Whow, O Qua,
 “ Died 18th January, 1835,
 “ Aged 26.”

The body was dressed in the usual habiliments of the country, over which was an elaborately worked shroud; down each side was a strip of green cloth trimmed with red, a few leaves of laurel, bearing a bouquet, were on her breast, earrings loaded with ornaments were in her ears, and her cheeks were painted red: the whole was covered with a splendid Indian shawl. She was buried at St. John's, Waterloo-road; the procession moved in the following order:—The feathers and usual attendants. Then the body on a bier, borne by six men, and the pall supported by the following gentlemen,—Mr. W. Keene, Mr. H. Wallack, Mr. Wetly, Mr. E. Lancaster, Mr. Milner, and Mr. Gale. The mourners were the Chief, a young Squaw, and three other Indians, Mr. Carbonel, Mr. Oxberry, and several other theatrical gentlemen. After the usual service in the church, the body was committed to its last home. At this moment the behaviour of the Chief was manly in the extreme, yet expressive of

deep sorrow. He marked the tombstone at the foot of the grave with several Indian characters, which was found to be a prayer that the foot of no stranger might profane it; and also an unerring mark for any one of his tribe who might visit the spot, to know who it was that reposed there. At the conclusion of the-burial service, a white rose was thrown into the grave, and Shaw Whash (or Big Sword) pronounced a funeral oration in the Indian dialect. On returning to the residence of the Chief, he addressed the mourners in the French language to the following effect: “ For three years prior to my visit to this country, I rested on the bosom of my wife in love and happiness. She was everything to me, and such was my fear that illness or accident might part us in England, that I wished her to remain behind in our settlements. This she would not consent to, saying, ‘ that I was all the world to her, and in life or death she would remain with me.’ We came, and I have lost her—she who was all my earthly happiness is now under the earth, but the Great Spirit has placed her there, and my bosom is calm. I am not, I never was a man of tears; but her loss made me shed torrents, and the only cordial to my wounded feelings is the sympathy I see expressed around me, and the great attention and respect which was paid to the memory of the departed.” Several of the mourners said a few words of condolence, and then retired, deeply impressed with the mournful occurrence. The Chief was to have been introduced to his Majesty on the day of the funeral.

20. VOLCANO IN SOUTH AME-

RICA.—On the 20th of January began a great eruption of the volcano of Cosigueina, near Nicaragua, in the state of Guatemala, which is thus described in the official reports published by the government. “The vapour began to rise about half-past 6 A.M. at 11 o’clock it covered the whole of the territory, and at noon the obscurity was so extensive as to exceed all description. We had then a night of eighteen hours’ duration, while tremulous movements of the earth, noises, tempests of thunder, and lightning flashes caused by the combustible matter which filled the atmosphere, and an impetuous wind impelling a heavy shower of lava, rendered that night a period of distress and horror. The morning of the 21st was melancholy, though the light penetrated through the dense vapours, and the sun sometimes showed a pale and saffron-coloured countenance. The 22nd passed in much the same manner. The night was passed rather quietly until 12 o’clock. There then commenced a hollow growling sound, vehement and alarming, which continued without interruption or diminution full thirteen minutes. This noise was instantaneously followed by some horrible detonations as loud as reports from artillery of the largest calibre. At a quarter past twelve a violent tremulous movement indicated a fresh eruption, which the ascension of a cloud that, notwithstanding the darkness, was perceptible, soon confirmed. At half-past 2 there was a sort of twilight, which served to interrupt a night of thirty-six hours. The noises continued, and were louder than on the 20th. A reflection of red light occasionally broke through the ob-

scurity of the atmosphere, but so constant and terrible were the explosions, and the thunder and lightning, that it appeared as if the Supreme Being, wearied with the iniquities of mankind, had resolved to annihilate his work. The 24th commenced much in the same manner as the 21st. At Nicaragua, and in the department of Granada the catastrophe was not perceptibly felt until the dawn of the 25th, when the explosion developed itself to such a degree that from 1 o’clock the sky was darkened with an opacity which continued to deepen till 11 in the morning, when we were enveloped in the most horrible darkness ever known, whilst terrific reports were heard, and showers of calcined lava were precipitated over all the face of the country. An event which, though natural, was at the same time so dreadful, produced in the minds of all the most terrible impression which could be attributed to the Divine anger, and whilst the people ran in crowds to the temples to implore the mercy of Heaven, the garrison of the town diverted their consternation by discharges of cannon and musketry. This was done by order of the Government, which, by the advice of some intelligent chymists, directed discharges of artillery to be fired, rockets to be let off, fires to be lighted, and the bells of all the churches to be rung, in order to dissipate the density of the atmosphere. The quickness was astonishing with which, on the 23rd, all the atmosphere was inundated, from Nicaragua, as far as the department of that name, towards the south-east. The darkness then gradually moved towards Nandayme, where about 3 o’clock in the afternoon the darkness reigned

over the city without, and extended to the town of Rivas. The same thing occurred in the department of Granada, the towns in which suffered nearly to the same extent as that of Leon, whilst those of Matagalpa in Segovia experienced a night of thirty-six hours' duration. Fortunately not a single life was lost, though in the immediate neighbourhood of the mountain where the eruption occurred, some cattle were destroyed: it does not appear that the damage will be so great as was conceived at the time of the catastrophe, because the sand or ashes which have been scattered over the plains will wonderfully fertilize them—a fact which has been ascertained in some places which were watered a few days afterwards by the rain, where the plants showed a most luxuriant appearance, the pasture was rapidly rising, and everything seemed to promise a forward spring. The agitation of the air, when winds prevail, usually affects people with disagreeable sensations, and does great injury to cattle, on account of the dust which fills the atmosphere to such a degree, that it is impossible to see even the distance of a league. Hitherto we have observed no bad effects, except inflammation about the head, eyes, mouth, and throat, which cause very severe coughing. It is wonderful that we should have been able to withstand the showers of dust with which we have been assailed without being suffocated, especially as it has been found to be loaded with sulphur, iron, and antimony, and to be very inflammable. At San Marcos, from the 23rd to the 29th of January, the atmosphere was impregnated with smoke and ashes, and on the 24th particularly, so great a shower of

ashes fell, that the roofs of all the houses were whitened with it. From the night before till 9 o'clock in the morning repeated explosions were heard, by which great alarm was created through the various towns, under the impression that they proceeded from the volcano of Quezaltenango, which city was presently deserted by many of the merchants, who removed themselves to a distance, for the better security of their families. The showers of ashes, volcanic reports, and earthquake shocks, reached as far as the town of Dolores, in the district of Peten. We have also received letters from Chiapas, of various dates posterior to the 23rd of January — all containing accounts of the same phenomena. In the city of San Christoval, the capital of the state, the troops were placed under arms, and the surrounding neighbourhood is described as having been in the utmost consternation. By letters from Izabel, of the 20th of February last, referring to others from Belize, we learn that the shocks and showers of cinders reached as far as the island of Jamaica and the coast of Merida de Yucatan.

“ We have not yet been able to define the area through which the showers of cinders have extended and the reports have been heard, but may calculate the radius, taking the volcano of Cosigueina as a centre, and stretching in the direction of Ciudad Real de Chiapas, at 325 leagues, and in the direction of El Peten at 322 leagues; but at these two points the reports were so loud, that they must have been heard at places far more distant; we cannot, however, speak more positively on this point till we receive advices from the Mexican republic.

“In the time of Tiberius, in consequence of an eruption of Vesuvius, the ashes are described as having been thrown into Africa, a story which has been considered incredible by modern writers. The eruption of Cosigueina may be taken, however, as a confirmation of that fact.”

On the 9th of February, a commission went from the Port of the Union to observe the volcano, and they could not recognize the coast with perfect distinctness, or throughout its entire extent, in consequence of the cloud of smoke which covered the plains. A forest, which appeared to be as old as the creation, had disappeared. Two islands had been formed in the sea,—one being 800 yards, and the other 200, in its greatest extent. They consisted of pumice-stone and mineral earth, with a number of pyrites of a golden colour, and having a coppery smell. Some shoals in the sea, from 500 to 600 yards long, had been formed. In one of them a large tree was fixed upside down, that is to say, with its branches downwards, and its roots raised up. The river Chiquito, which ran towards the north-west, was completely choked up, and another river, six yards broad, had sprung up in the opposite direction.

A party proceeded from the town of El Viego to make another observation, by which it was ascertained that the farms of Sapasmapa and Cosigueina, situated in the immediate neighbourhood of the volcano, had disappeared. From the first not a single head of cattle had escaped. In the latter 300 quadrupeds were found remaining, but in such a weak and wretched condition, that they were dying. The substance found in the circumference of the volcano, was

composed of all kinds of quadrupeds and birds.

The Colombian galley, Boladora, which left Acapulco on the 20th ult. for the Realejo, experienced the darkness at 20 leagues from the shore, as well as such a copious shower of dust that the crew were apprehensive of being suffocated; and they were occupied as long as 48 hours in clearing the vessel with spades. Not being able to make for the Realejo, on account of the darkness, they directed their course to Punta Arenas, with the full conviction that the whole state of Nicaragua had disappeared. Up to the 20th February, the volcano continued to emit fire and smoke, accompanied with occasional touches of earthquake.

24. FIRE.—Early on the morning of the 24th, a fire broke out in the third floor of the new buildings on the North Bridge, Edinburgh. The engines were quickly on the spot, and the firemen broke open the door of the apartment, where the benches used by the workmen of a tailor who occupied this part of the premises were found to be in flames, with a considerable part of the flooring below. The apartment was filled with so dense and suffocating a smoke from the parings of woollen cloth that were burning, a strong west wind at the same time blowing into the window which had been left open, and increasing the fury of the flames, that the firemen were forced to retreat. They went down stairs to bring up the engine pipe, and if at this time it could have been brought to bear upon the apartment that was burning, the fire, by the great efficiency of the engines, would speedily have been extinguished; but so rapid

was the progress of the conflagration, that before they could ascend the stairs a second time, the flames had broken out into the staircase, and prevented all communication with the apartment where the fire originally began. In this manner the flames had free scope; the great height of the building from the back preventing the possibility of reaching the conflagration from that quarter. The fire accordingly spread with frightful rapidity to the flats above and below, occupied by Mr. Black, messenger-at-arms, and Messrs. J. and P. Wright's cotton warehouse, and also to the buildings on each side, being those occupied on the ground floor by the Albion Cloth Company and Mr. William Marshall, goldsmith. The strong gale of westerly wind, that was blowing, gave irresistible fury to the flames, which speedily extended to the whole building; nor could the engines, though now directed with equal intrepidity and skill, avail to save any part of this valuable property. One family was in great danger; all egress by means of the staircase being prevented by the rapid progress of the flames, a young man, a member of the family, made his escape by the roof, and gave warning to the firemen that two women were still left in the house, unable to make their escape by the means he had adopted. Three of the firemen immediately proceeded to the roof of the house from an adjoining tenement, and being provided with ropes, one of them was let down opposite the window of the house, where he found two terrified females, in the act of adopting the desperate resolution of springing from the windows, to save themselves from being burnt to death,

as the flames were raging in the adjoining passage, and illuminating the apartment in which they were, by means of a borrowed light communicating with the staircase. Ropes being properly fastened round them, they were separately let down to the ground, from the height of four stories. The flames continuing to rage, the firemen became convinced of the impossibility of saving any part of the buildings, and confined their exertions chiefly to prevent their spreading to the adjoining tenements. About three o'clock the roof fell in with a great crash, and the flames began to approach the ground floors, which rendered it necessary to use great exertions to remove the valuable property from the shops of Messrs. Marshall, jewellers, and the Albion Cloth Company. Between four and five o'clock, an engine was placed at the back of the house, and three of the firemen, Paterson, Kerr, and Archibald, made their way, fearless of danger, into one of the windows, and took their station on a small part of the floor, which had been left unconsumed by the flames. From this position they were directing the engine, when the floor on which they were standing gave way, and they were precipitated into the floor below, the Albion Cloth warehouse, amid burning rafters and heaps of rubbish. They were immediately extricated by the other firemen, and Paterson and Kerr were carried to the Royal Infirmary, where the former expired in great agony in the forenoon. The fire was finally got under about six o'clock in the morning, though during the greater part of the day the engines continued playing upon the burning embers. For some hours

showers of large burning embers fell incessantly on the roof of the Theatre, and it required the most unremitting exertions of a numerous party stationed on the roof to prevent their getting into any of the crevices, where the high wind would have soon fanned them into a flame. They were driven about in such quantities, that the clothes of the men were frequently on fire, and it was most fortunate they succeeded in preventing them from getting any lodgment, otherwise the consequences might have been most calamitous, as from the inflammable nature of the materials of the Theatre, and its proximity to the houses in Shakspeare Square and Waterloo Place, these might have been all involved in one common ruin.

26. RIOT.—On Monday, 26th, the Sheffield Medical School was completely gutted by an infuriated mob. On the preceding day, the keeper and his wife had got drunk and quarrelled. They were shortly afterwards joined by an Irishman, who had not been there long before he and the husband turned the woman out of doors, upon which she set up the cry of murder. The police having arrived, and been informed by the woman that two men in the house intended to murder her, they were taken into custody, and carried off to prison. A crowd soon assembled round the premises, the doors were broken open, and a number of people entered, bringing away with them foolish accounts of what they saw, calculated to inflame the minds of the populace; further violence was, however, prevented by a strong police force, and the crowd had entirely dispersed by the evening. On the following morning, however, the occurrences

of the preceding day having grown into a report that “burking” had been going on, a general attack was made on the premises. The frames of the windows were broken, and the rioters ejected into the street chairs, forms, stools, tables, papers, books, in short, every moveable article, of which a fire was made in the street. The persons who entered the house acted their part with as much coolness as if they had been engaged in some lawful employment, whilst those without seemed to enjoy the scene as if some glorious deed had been performing. The building was soon completely gutted; the very staircase and floors being torn up and committed to the flames. At half past nine, the constables and others endeavoured but in vain, to stay the work of destruction. The house was now nearly gutted, and the fire in the street, being continually increased by fresh fuel from the floors, doors, ceilings, stairs, and every thing that would burn, raged with terrific fury. Great fear prevailed among the inhabitants adjoining, and also opposite the scene of destruction, of a general fire occurring. On the arrival of the firemen, they were welcomed with stones and pieces of slate, which compelled them to retire. In consequence of the house having been set fire to, they were again recalled, and appeared under the protection of the military. They commenced playing on the flames, and succeeded in extinguishing them. At twenty minutes past ten, Mr. Rayner arrived in front of the Town Hall, at the head of a detachment of the 6th Inniskillen Dragoons. The crowd fled on their approach, and the depredators ceased their mischievous

employment, and took to their heels. The dragoons being reinforced with another detachment, about eleven o'clock they divided into parties, and paraded the principal streets near the Medical School, and by half-past twelve o'clock the people had nearly all dispersed, apparently to their dinners; the military were, therefore, released from further duty, and returned to the barracks. About half-past one, another attack was made on the ill-fated premises; the fire was re-kindled in the street, and the horrid work of destruction was again in operation in all its original fury. The military were again called out, and succeeded in restoring order.

26. TITHES. — Mr. Edward Perkins of Chesfield appeared before the magistrates assembled in petty session at Stevenage, to answer a complaint of the Rev. T. F. Green, rector of Graveley, for the non-payment of the tithe arising from a certain fir plantation in the parish. Mr. Hawkins, of Hitchen, who appeared for the complainant, observed, that the only question for the decision of the magistrates was, whether the firs in the plantation were titheable or not, and of that there did not appear to him to be a doubt. The Chairman asked if they claimed a tithe in composition or in kind? Mr. Hawkins said, a tithe in kind; for if a composition had existed, no question could arise as to liability. Mr. Hawkins then proceeded to state, that by an old statute, so early as Edward 3rd, woods were divided into three sorts, which were distinguished by the old Anglo-Norman names of Gros-bois, that which can properly be called timber; Haut-

bois, or great or high wood; and Sub-bois, underwood. There were several cases bearing on the point. Lord Ellenborough in p. 446, vol. 10, East's Reports in the case of "Aubrey v. Fisher," said nothing could be considered as timber but oak, elm, and ash; but by the custom in particular localities other woods might be considered timber. If it was timber, it was not titheable; therefore it would be important to know whether the firs were assessed to the poor-rate. Mr. Justice Best, in the case of "The King against the Inhabitants of Ferrybridge," reported in Barnewall and Cresswell, vol. 1. p. 388, said that "Gros-bois means timber, and by the common law includes oak, ash, and elm; and by the custom of the country, in particular places, many other species of trees. Every species of wood which is not timber by the common law, or by the custom of the country, is titheable." In Buckinghamshire, by the custom of the country, beech is held to be timber, and exempt from tithe; it was, however, not timber, in any other part of England. Lord Coke was quoted as the authority in that case, and being a Buckinghamshire man, may be considered a good authority, as being the more likely to know the custom of the county. Mr. Justice Bailey, in "The King v. Ferrybridge," observed "that if all wood which is not timber be underwood, it would follow that horse-chestnuts, limes, plane-trees and aspens would come within that description; yet surely it would be a perversion of language to call such trees underwood." He therefore contended, that although the firs were not underwood, (they might be 100 feet high), yet they

were not by the custom of the country timber, and were liable therefore to tithes.

Mr. Parkins said he objected to pay the tithe, on the ground of the firs having been more than twenty years growing, and not returning any annual profit or produce; and that further, in many districts where the fir was extensively cultivated no tithe was paid.

The Rev. J. Pollard said, he had no doubt but that fir plantations were titheable when cut, and he was prepared to make an order in this case, with the sanction of his brother magistrate. An order was then made, not to be executed until the next bench meeting, then to be subject to any cases or opinions of counsel Mr. Parkins might bring forward to induce the magistrates to alter their opinion. J. Green esq., declined acting in the case, as the Rev. T. F. Green, was his son, the patron of the living.

CASE OF THE DUKE OF BRUNSWICK. At the sitting of the *Tribunal de Première Instance* of Paris, on the 26th January, a process was instituted by the Duke of Cambridge against Charles, ex-Duke of Brunswick, for the purpose of having all the property of the latter placed in his hands, according to arrangements to that effect which were represented to have been made between his Majesty William fourth, the reigning Duke of Brunswick, the duke of Cambridge, and other members of the family, and by which the Duke of Brunswick was also placed under the tutelage of the Duke of Cambridge, who now sought, through the medium of the French courts of law, to obtain possession of the duke's property in France. Duke

Charles appeared in person to plead his cause.

M. Duvergier, advocate for the duke of Cambridge said, the court had not to put in execution a judgement delivered in a foreign country, between two foreigners, but one of the fundamental laws of the kingdom of France, which acknowledged individual rights. The duke of Cambridge was entitled, in his capacity of guardian, to demand of that court a restitution of all the property which had been taken from duke Charles, and which he was at present possessed of. In the month of September 1830, the duke was expelled from his kingdom. An insurrection had previously taken place, which led to this result. His castle was burnt to the ground. A committee of the different states was convoked, and his brother, duke William, was placed at the head of the provisional government. The german diet confirmed this step, and application was made to the other members of the family for their approval of it likewise. In consequence of this the king of England, his three brothers, the dukes of Sussex, Cumberland, and Cambridge, and duke William of Brunswick, met together, and held a deliberation upon the subject, the result of which was, that the throne of Brunswick was declared vacant through the incapacity of its legitimate owner to retain it, and duke William of Brunswick Luneburg Oels, being the next heir to the throne, was called upon to take possession of it. In consequence of this act, which was approved by the German Diet, duke William mounted the throne. After this, duke Charles went into England, Austria, and Spain,

where he took all possible means to possess himself of his kingdom, by the purchase of arms, ammunition, &c., which, however, led to no other result except to place his name before the public in such a manner as to cause great grief to his family. This induced them to endeavour to put a stop to his prodigal expenditure and waste, and to prevent him from dissipating a fortune which should have enabled him to support a station suitable to his rank, and in order to effect this object, they placed him under the guardianship of the duke of Cambridge, Viceroy of Hanover. This deed was transmitted to the minister of foreign affairs in France, by whom it was sent to the Procureur du Roi, and by him delivered to duke Charles. By virtue of this deed, or act, the duke of Cambridge now demanded that the whole of the property belonging to duke Charles in France should be placed in his hands. He had a right to make this demand, and was authorized to do so by article three of the civil code.

At the conclusion of the address of the advocate for the Duke of Cambridge, Duke Charles rose and proceeded to answer him. He said the King of England, his uncle, and Prince William of Brunswick, had cited him before that Court. He did not, however, appear there in acknowledgment of their right to do so, but of his own free will, as by his birth he was amenable to no other judge than God. The Duke then proceeded to observe, that his relations had no right to act towards him as they had done; the King of England could not have acted in such a manner towards one of his own subjects, much less to a

Prince of a foreign kingdom. It would appear as though that branch of his family, which was seated upon the throne of England, were not satisfied with the scandal occasioned by the trial of his aunt, Queen Caroline, but wished to make him a fresh object of scandal. They had alleged, as a ground for placing him under guardianship, the fact of the pretended preparations made by him to regain possession of his kingdom; but if that were an offence, they might have taken a similar step in the case of Don Carlos and the Duchess of Berri; and a still stronger case for their interference would be the conduct of his uncle the King of Holland, who, more than any one else, would require to be placed under a guardian for having resisted the combined forces of France and England, and who, it must be acknowledged, had run a much greater risk of destroying his fortune than he (the Duke of Brunswick), since the preparations that he had made were purely imaginary on the part of his enemies, and were brought forward for the purpose of injuring him. His uncle had told him more than a hundred times that, if he did not act in every respect as he wished, he would retain him all his life in captivity, and perhaps get him to be pronounced mad, and he knew for a fact that his private physician had been applied to, to prove that he was attacked with mental alienation. He went on to state that he owed his present freedom to the intervention of the Austrian Cabinet. During the time he had occupied the throne of his ancestors, he had given general satisfaction in his kingdom; but his uncle was anxious

by every means in his power to possess himself of his duchy, which severed, as it were, into two portions the kingdom of Hanover, and thus to gratify that family hatred against him, which had been greatly augmented on account of the Princess Caroline of Brunswick, Queen of England. The Duke then went on to relate the injuries which he alleged had been inflicted upon him by his family. Among other grievances, he stated that they had circulated a report that he had abjured his religion, and had made a compact with his Satanic Majesty. He likewise stated, that his family had deprived him of no less than 100,000,000*f.*, and they now wished to possess themselves of the little property which remained in France belonging to him. The Duke concluded a long address by entreating the Court to protect him, and not to suffer him to be deprived of his fortune.

The Tribunal, according to the directions of M. Glaudaz, Avocat du Roi, decided that it had no power to interfere as prayed for, and authorized the Duke of Brunswick to retain possession of all property belonging to him in France, and condemned the plaintiff to pay the costs of the present suit.

31. ATTEMPTED ASSASSINATION OF THE PRESIDENT OF THE UNITED STATES.—On the 31st of January the president had attended the funeral ceremony of a member of the legislature, from the capitol. After the ceremony, as he came into the portico of the Capitol from the Rotunda, a person stepped forward from the crowd into the space in front of the president, and snapped a pistol at him, the percussion cap of which exploded without igniting the charge.

VOL. LXXVII.

This person was struck down by a blow from lieutenant Gedney, of the navy, who happened to be near; he also received a blow promptly aimed at him by Mr. Secretary Woodbury; but, before receiving either blow, he snapped a second pistol at the president. The cap of that lock also exploded without igniting the charge. The perpetrator was of course immediately seized, and taken into custody by the marshal of the district, by whom he was carried to the City Hall, where he underwent an examination before chief justice Cranch. His name was Richard Lawrence, by trade a painter, a resident for two or three years in Washington, and formerly of Georgetown. The offence being a bailable one, and excessive bail being forbidden, bail was demanded to the amount of 1,000 dollars, for want of which the prisoner was committed for trial; the judge intimating, that if he had been enabled to give bail, sufficient securities would have been required, in addition, to insure his good behaviour. The pistols were of brass, and, on examination in court, were found to be well loaded with powder and ball. On his examination the prisoner declined making any explanation or cross-examining the witnesses. On the 11th of April he was tried. On being put to the bar, he said, "I am under the protection of my father at home. The throne of Great Britain, and the throne of this country, of right belong to me. I am superior to this tribunal. I ask you to consider whether you are safe in your course of proceedings?" Many other things, to the like purpose, were said by the prisoner, with great dignity and address of

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manner. When the first of the jurors took the book, for the purpose of swearing, the prisoner rose and said, "Swear on that book; but remember that I am king of England and of this country, and will most assuredly punish you." The court requested, and finally commanded, the prisoner to be silent and sit down, to which the prisoner replied, "I will not." It soon became evident that the prisoner was not to be intimidated. His counsel persuaded him to sit down, and the deputy marshal stood by him to keep him quiet. The jury retired for about ten minutes, when they returned with the following verdict, being the same with that which was returned in Hatfield's case—viz., "*Not Guilty*, according to the indictment, the prisoner labouring under insanity at the time of the act."

FEBRUARY.

2. COAL-PIT EXPLOSION.—At Rushby-park colliery, Gerard's-bridge, near St. Helen's, six persons had descended into the pit to commence their daily labour, one of them a female. Each of these persons was provided with Davy's lamp. Through some unaccountable infatuation or carelessness, though repeatedly warned of the consequences by her companions, the female kept her lamp in a constant state of agitation; and, not content with this, she at last took off the cover. The colliery being at the time highly charged with hydrogen gas, a dreadful explosion immediately followed. The unfortunate girl was blown a considerable distance and killed, and her companions were scattered about and dreadfully scorched.

Immediately after the accident the underlooker descended into the pit, and finding five of the sufferers still living, he had them removed to the top. Medical aid was promptly procured; but notwithstanding the united exertions of two eminent surgeons, they all subsequently died. The body of the young woman was found seven days after the accident, in a dreadfully mutilated state.

4. EUPHRATES EXPEDITION.—The vessel employed in this expedition sailed from Liverpool on the afternoon of Wednesday the 4th. The expedition had been detained for some time by contrary winds. The vessel was the *George Canning*, a ship of 400 tons burthen. In the expedition were engaged fifteen officers, all of them distinguished by eminent scientific, literary, or professional attainments; twenty picked artillerymen, chiefly artificers, six engineers, seven Liverpool blacksmiths, and two interpreters—in all fifty persons, under the command of colonel Chesney, of the Royal Artillery. The officer second in command was already in Syria making arrangements. At Malta a number of labourers and seamen were to be engaged. The *George Canning* had on board two iron steamers in frame, the *Euphrates* and the *Tigris*, with their materials and ample stores. These were made up into many packages, to be transhipped on the coast of Syria into small country craft, and conveyed up the *Orontes* as far as it is navigable. These packages were then to be taken from the *Orontes* to *Bir* on the *Euphrates*, across a desert of one hundred and fifty miles, chiefly by camels, some of the heaviest articles being mounted on carriages which were taken

out on purpose. At Bir, the steamers were to be re-constructed; and the Grand Seignor and Mehemet Ali had promised their protection as far as their authority extended.

5. CUSTOM-HOUSE FIRE, DUBLIN.—The important case of the merchants whose property was destroyed by the fire in the Custom-house stores on the night of the 9th of August, 1833, came on for trial before Mr. Justice Crampton and a special Jury.

Mr. M. Brady opened the pleadings, from which it appeared that this was an action of assumpsit on a feigned issue, in which George Roe and George Meyler (distillers) were plaintiffs, and Paul Donlevy (officer of Customs) and Robert Wallace (officer of Excise) were defendants. The declaration stated that certain warehouses, called the King's stores, were warehouses of special security for the port of Dublin, under the 6th of George 4th, and that divers goods which were bonded and warehoused therein, under the said act, were wasted, burnt, and destroyed by fire. At the time of the said fire Paul Donlevy was an officer of Customs, and the other defendant was an officer of Excise, and a question arose as to whether the destruction of the said property was occasioned by the wilful misconduct and negligence of either or both the defendants. The plaintiffs asserted that it was, and this was the issue which the jury were called upon to try.

The case for the plaintiffs was stated by Mr. Serjeant Perrin, who informed the jury that Roe and Meyler were merely nominal plaintiffs, the question really being between the merchants whose property was destroyed and the

lords of the Treasury. The merchants claimed reimbursement for the loss they had sustained, and the lords of the Treasury had consented to put the matter in course of legal investigation, in order that it should be decided whether the fire and destruction of property had been occasioned by wilful misconduct and negligence on the part of the officers of Government. The learned serjeant then proceeded to detail the circumstances connected with the conflagration. A number of witnesses were examined to sustain the case on the part of the plaintiffs.

The attorney-general opened the case on the part of the defendants, contending that the evidence should be sifted as if it were a criminal action, in which the parties charged would be entitled to any doubts that might arise in the minds of the jury. Witnesses were then examined for the defence, the verdict was delivered in the following terms:—"We find for the plaintiffs, with sixpence damages and sixpence costs, against Paul Donlevy for wilful neglect of duty. We acquit Robert Wallace."

5. FRAUD. COURT OF KING'S BENCH, DUBLIN.—George O'Malley Irwin, a barrister of six years' standing, was tried for uttering a forged letter, purporting to be the resignation of Robert Johnson, Esq., assistant-barrister for Mayo, and that he did so with the intention of deceiving the lord-lieutenant, of defrauding Mr. Johnson of his situation, and procuring the situation for himself.

The attorney-general stated the case for the prosecution, and after remarking upon the important nature of the duties to be discharged by assistant-barristers, and especially their administering

justice to the poor, he entered into a full and particular statement of the facts of the case, which was afterwards proved, and the inference from which, he said, must be to bear out the imputations thrown upon the traverser's conduct in the indictment.

Robert Johnson, Esq., examined by Serjeant Perrin.—I am a barrister. I have filled the office of assistant-barrister, first for Sligo, and afterwards for Mayo. I was in office twenty-seven years. I know the defendant. I first became acquainted with him, I think, in 1830, or 1831. He came to my house, I may say, as a stranger. I knew his face, but not his name. He was shown into my house in Leitrim, into the back parlour. After being a short time seated there, he said, "I am informed you are inclined to resign the office of assistant-barrister for Mayo." To which I replied, "Whoever gave you that information, it is false." He then said, "Mr. Johnson, if you could be induced to resign that situation, I would make you a handsome compensation for the same." I declined entering into any treaty with him, and so expressed myself. He shortly after left my house. In 1833, I was ill in the country. I think it was in July. I received a message at that time. The bearer of it was my son-in-law, Colonel Barton. After that message I declined having anything to do with Mr. Irwin. He was communicating with me from time to time the progress he was making with the government in England and in Ireland as to his getting an assistant-barristership; such was the substance of his communications; I made scarce any reply to his communications; what he said went in at

one ear and out at the other. (A letter was here handed to witness—he said it was not his handwriting. This was the resignation.) I was at my own house at the date of that letter; I did not authorize any one to write it, not did I know of its being written. The first time I ever saw it was in Mr. Littleton's office. Mr. Littleton was there at the time, and the attorney-general. I did not authorize Mr. Irwin to deliver that letter, nor did I authorize him to give it. I did not know of it till I got the lord-lieutenant's letter of the 7th, which did not reach me till the 11th. I gave no authority to any one, directly or indirectly, to write that resignation. I left home on the 7th, to proceed to Claremorris. I arrived there on the 9th. I sat that day. I saw Mr. Irwin that day. I saw him about 1 or 2 o'clock. I was returning then to court. Mr. Irwin followed me up the street, and said he wished to speak to me in my room. I brought him up to my room. He said, "I have come to settle with you—I have the money." I asked him "What money?" he said, "Oh! I have the money:" in a few minutes after he said, "I have the money in Clendenning's bank;" he said, "Then there's another barrister appointed in your room; he will be here immediately:" I replied (I became, I must say, extremely nervous)—"A barrister appointed in my room? it is impossible, Sir! Why should a barrister be appointed in my room? I have committed no crime—I have sent in no resignation, and I will suffer no barrister to take my place." I was then proceeding out of my room very much agitated; he then said, "For God's sake, do not go into court, a barrister will be there

immediately." He stated other matters to force me into a compliance with the forgery before you; he stated to me that all the arrangements for my retirement were settled by the government; that Mr. Farrell, barrister for Kilkenny, was to take the place of Mr. Burrowes in the Insolvent Court—that another gentleman was named for Mayo—that he was to go to Kilkenny, and that it would not be thought right to put him in for Mayo; he made no reply to me, when I said, I had sent in no resignation. I did not then know what had happened in Dublin. I went into court on the 9th. I took my seat there, and did business. I saw no more of Irwin during that day; I saw him again on Friday evening, about 7 o'clock, when going to dinner; he came into my room. Previous to this Mr. King had arrived, about 3 or 4 o'clock that day; I said from his arrival I was out of office. I said to Irwin, "What have you done?" "Oh!" said he, "I have come to pay you the money." He said, "I had your consent for it." "My consent, Sir?" said I; he did not even then state to me he had forged the letter, nor did I know it, but I suspected it. He then went on and said, "I have the money for you, I have the money for you in Clendenning's bank: come with me to Castlebar, and I'll settle with you to your satisfaction." I replied, "Sir, I have had no contract with you, I'll have no settlement with you, and I will not go to Castlebar with you." He then said, "I'll go down and settle everything to your satisfaction with your son-in-law, colonel Barton, at Kinlagh." I said, "You may save yourself the trouble, for neither colonel

Barton nor any one else has any authority to enter into an arrangement with you on the subject." He then left my room, and I saw no more of him. On my oath, I never gave him a consent, directly or indirectly, nor authority to any one else, to send in my resignation; nor, if he had applied to me, would I have given my consent to a resignation, being in sound health, and feeling myself equal to the duties of it.

Cross-examined by Mr. Holmes—Could anything have induced you to give up the situation of barrister?—I can't answer that question.

Why not answer it?—There might be inducements held out which would lead me to retire. I was first appointed when the duke of Richmond was lord-lieutenant; I was in Sligo 20 years; I was changed from Sligo to Mayo at the time of the registry; it was by Mr. Joy, the then attorney-general; there was another barrister for Sligo—I am not bound to state what he got for changing from Sligo; the reason I do not answer that question is, because it would criminate myself; for Mr. Ellis's credit, I will say the change with him was caused by the order of the attorney-general; I believe in those changes there was what is commonly called "a job." Did you ever hear the old saying "here is the something if you have the price?"—(No answer.) The price was not high enough? (A long silence.) Silence gives consent. Witness. — You are not asking questions. I would not take 2,000*l.* from Irwin; I did not consider it my interest. If Irwin had offered 10,000*l.* would you have taken it?—I would. But you would not take 2,000*l.*

from Irwin?—2,000l.? Sir he had not a shilling; the situation of chairman is worth 800l. a-year.

Richard Davis Craig, esq. I was private secretary to Mr. Littleton last year. I know the traverser. He called on me in London in February, 1834. Mr. Littleton was then in London. Mr. Irwin stated to me that he understood the government was anxious Mr. Johnson should retire from his office—that he was related to Mrs. Johnson—that Mr. Johnson had long been anxious to retire, but that his wife had kept back his resignation in the hope that an arrangement might be made in the mean time for Mr. Irwin succeeding. He reminded me of his having been for some time a candidate for the office of assistant-barrister. He mentioned to me if the government would engage that he should succeed Mr. Johnson, he would undertake to procure his retirement. I mentioned to Mr. Littleton what occurred, and saw Mr. Irwin again in a day or two afterwards. I stated to him, as Mr. Littleton's answer, that complaints had been made to government of Mr. Johnson's being infirm, and that if he did not resign, it was not impossible that government might consider it necessary to supersede him, but that the government would make no engagement whatever as to his successor; that the lord-lieutenant considered the office as strictly judicial, and therefore, whenever the vacancy might occur, he would appoint to that, or any other office of the same kind, the person whom he considered to have the highest professional and personal qualifications. That was what I was authorized

by Mr. Littleton to state. I recollect having seen him again at the Irish-office during the session of Parliament upon the same business. I returned here in the month of August last year. I recollect that on the 8th of October he said he hoped that having delivered in Mr. Johnson's resignation might entitle him to a favourable consideration on a future vacancy. He begged me to tell Mr. Littleton he was in perfect readiness to start for the county of Mayo. I told him that I did not think it at all probable that he would be required to go, but that if I were desired to make him any communication, I would do so without the slightest delay. I was not directed to make him any communication. Mr. King was sent down.

Colonel Barton.—I am son-in-law of Mr. Johnson. I was at Mr. Johnson's house, at Kinlagh, during the sessions of Claremorris. I saw Mr. Irwin on a Sunday after the sessions of Claremorris, the 12th of October. He first went into the drawing-room and paid a short visit there. I went out with him to get his horse. He said he had settled everything with Mr. Johnson—that Mr. Johnson was to resign, and that he was to get another assistant-barristership. I said that was very extraordinary, for that when Mr. Johnson went away he had not the least intention of resigning. He said he had induced him to resign. I said Mr. Johnson had been in very good health lately. He said he had other good reasons for resigning, as the government had complaints against him. I said that I did not know of any complaints made against him, except in one case, and then he got off with great credit, so

that he had the full approbation of the chancellor. I told him that in all such cases the money was lodged in the first instance—that it was in that way commissions were sold in the army. (Laughter). The money was not put down. I never saw him afterwards till this day.

Mr. O'Connell, on the part of the traverser, said he had to defend the character, the hopes, and all the prospects in life of a young gentleman of hitherto untarnished honour. He called upon the jury to weigh well all the circumstances of the case before they agreed to a verdict—before they cast infamy on his client, and left upon his character a blot which would be worse than any wound.

The crown declined availing themselves of the privilege of a reply.

After a lengthened charge from Judge Crampton, the jury retired for about half an hour, and then returned with a verdict finding the traverser *guilty*.

9. INDIAN INTERMENT.—On Monday the 9th the remains of the young Indian, Nee-mee-nam-quam or Thunder and Lightning, were interred in the burying-ground of Waterloo Church. The coffin was handsomely mounted; on the plate was inscribed, "Antoine Nee-mee-nam-quam, aged 26." The pall was borne by Messrs. Elliot, Hughes, Bender, Batter, Gill, and Griffiths, belonging to the theatre. The chief, Muc-coon-ce, the Cub or Little Bear, walked as chief mourner; and with him Shaw-wash, or Big Sword second in command in the tribe; then followed O-zung-gus-kondah-wa, or Flying Squirrel, with whom was M. Dunord, the inter-

preter. There were also following the body, Messrs. Gale, M'Ian, Ransford, Ross, Wardell, &c., belonging to the company.

When the coffin was carried into the church, the Indians took their seats near the reading-desk, and by their demeanor any one would have imagined that they understood and could feel the expressions of the solemn service. On the coffin being removed to the grave, the interruption made by the crowd was most indecorous. When the clergyman had finished the service on the ground, the chief requested Shaw-wash, his senior in years, to perform their own native service, which consisted of an oration delivered in their own language, addressed to the spirit of the deceased. The orator commenced with pronouncing the name of the deceased, in the same manner as he would do to call the attention of a person in life to listen to what he had to say. The address was spoken with much energy. According to their custom, the chief threw on the first handful of earth, and the other two Indians followed his example in throwing on a handful of earth as did also all those who especially attended the funeral. They insisted on seeing the grave of their countryman filled up before they left it; which request was complied with.

The wife of the chief was buried in the same churchyard two weeks ago; and, according to their native custom, he had marked the site of the grave with his "totam" by which he expected that, as in his own country, the patch of ground would be respected in a special degree. He had expressed a desire that the body of the young Indian should be laid con-

tigious to the grave of the squaw, but he was also exceedingly desirous that her grave should not be disturbed. At first, his mind probably being engaged with the service, he did not take such very particular notice of the spot, but he at length expressed his conviction that the grave was the same in which the squaw had been interred, and he had not seen her coffin. He had at her funeral, with Indian accuracy, taken the bearings in every direction from objects to which he pointed, as if he would say that he could have told the spot without any other marks but these. But, besides, he had placed his "totam" on the adjacent tombstone. The "totam" is a badge of distinction by which they are known throughout the tribes. The mark is engraved on a silver plate or medal. The chief wears a number of "totams" of his ancestors round his neck; but that which is his own, we believe, is meant to represent a tortoise, and the mark he used is a rude outline of that animal. Great pains were taken to explain to him that the grave of his wife had not been disturbed; but he was not to be convinced. He was told that the law as it had been lately altered prevented the acts of resurrectionists; but still he was incredulous. He said, "The law might be very good, but it might be that the people of this country might not like an Indian to be buried in the same ground—it was of no use to tell an Indian a lie—Indians never told lies—had only a handful of earth been removed to show him the squaw's coffin was safe he would have been satisfied—and he must see." The latter phrase he expressed in good English. The

grave having been filled up by this time, and it being past 5 o'clock, he was at last satisfied with the assurance that he should be convinced the coffin of his wife was safe in the ground on a future day. He would depend upon that promise, and he added, "If I do not find it so, my heart will swell as big as——." He here made use of some gesticulation to imply vast bulk.

When they returned to his lodgings in the Waterloo-road he renewed the subject, but was again appeased on the above promise. During all this expostulation there was a marked dignity in his manner, but he manifested all the characteristics of a good-tempered and business-like firmness of purpose. He then addressed the company in the room, and his interpreter repeated after him nearly as follows:—He said "there were many men—they were of different colours of skin, but they had the same blood, and they had all the same hearts. The same Great Being who had made the sun, and the moon, and all which they saw, had made them, and they were all as brothers sprung from one father. He was grateful for the respect that had been paid by the people to the interment of his wife, and now to the interment of one of his tribe." His manner, while delivering this brief speech, was exceedingly impressive.

10. FEMALE SAILOR—MANSION HOUSE.—The lord mayor having observed a statement in the newspapers relative to a female who for some time had performed the duties of a seaman, directed an inspector of the city police to make inquiry into the circumstances, in order that if the girl required

assistance, it might be rendered to her without subjecting her to annoyance. The inspector now appeared before the lord mayor, accompanied by the girl, the captain of the vessel in which she came to London, and several gentlemen who felt an interest in the remarkable details of the case.

Captain M'Intire, of the Sarah, from Belfast, stated, that he met the girl, whose name is Ann Jane Thornton, at St. Andrew's, in North America. She was dressed in sailor's clothes, and had all the appearance of having been brought up to that employment. He engaged her at nine dollars a-month to act as cook and steward, and considered that she was what she seemed to be, until a few days before the arrival of the vessel in the port of London. It appeared that some of the crew had suspected her sex before she was seen washing in her birth, from the circumstance of her having repeatedly refused to drink grog.

The Lord Mayor.—It has been reported that she was ill-treated by her captain and the crew. I wish particularly to be informed upon that point. Captain M'Intire said that he would call upon the girl to say whether he had not uniformly treated her with kindness, and whether, when her sex was discovered, the degree of kindness and care was not increased. The girl declared that captain M'Intire had acted towards her with humanity, and had desired her to complain to him if any of the crew attempted to treat her harshly. She had been in the course of the voyage struck by some of the sailors because she could not work as hard as they did—a thing she found it difficult to do in a gale of wind, but she did

not tell the captain, as she determined to endure as much as possible without grumbling.

The lord Mayor.—Is it possible that this mere girl, for she cannot be more than 16 or 17 years of age, performed the duties of a seaman?

Captain M'Intire.—It is, my lord. She performed them to admiration. She would run up to hand the topgallant-sail in any sort of weather, and we had a severe passage. Poor girl, she had a hard time of it, she suffered greatly from the wet, but she bore it all excellently, and was a capital seaman.

Ann Jane Thornton stated that she is in the 17th year of her age. Her father, who is now a widower, took her and the rest of his family from Gloucestershire, where she was born, to Donegal, when she was six years old. He was the owner of stores in that part of Ireland, and in good circumstances, and was always affectionate to her. She regretted that she had quitted her home, for her departure, of which she had given no previous notice to her father, must have caused him many a sorrowful hour. When she was only 13 years old she met captain Alexander Burke, whose father resided in New York, and was the owner of vessels there, and before she was 15 they became strongly attached to each other. Soon afterwards Alexander Burke was obliged to go to New York, and she took up the resolution to follow him. She quitted her father's house, accompanied by a maid servant and a boy, and having procured a cabin-boy's dress, she exerted herself to obtain a passage to America. She succeeded in her object. The servant-maid and boy took leave of her immediately

upon her embarking, the latter being charged with a message to her father, informing him of her intention. By degrees she became reconciled to the labours of her new employment, but she beheld with joy the shores of New York, where she thought her labours would terminate. The moment she landed she went off in her cabin-boy's dress to the house of captain Burke's father, and said that she had worked under the captain's orders, and wished to be engaged by him again. It was by the father of the young man she was informed that his son had died only a few days before. America was, however, no place in which to look for sympathy. In the belief that the sea, which no doubt her feelings of affection for Burke recommended to her, was a more probable mode of existence than any she could adopt in the dress of her sex, she applied for and obtained a situation as cook and steward in the *Adelaide*, and subsequently in the *Rover*, in which latter vessel she sailed to St. Andrew's where she fell in with captain M'Intire. The captain of the *Rover* had agreed to take her to Belfast, but he received an order from the owners to sail for the West Indies, and, as she was resolved to return to her father as soon as possible, she refused to accompany him. For 31 months she had been engaged in these remarkable adventures, and participated in the most severe toils of the crews of which she formed part.

The lord Mayor.—And are you not weary of so harassing a life? Girl.—Yes, I am anxious to get home. I hope and believe that my father will forgive me for the sorrow I have caused him. I have had my own sorrows too. The

lord Mayor.—How did it happen that you fancied the sailor's dress, well knowing that by assuming the appearance of one you pledged yourself to perform such terrible duties? The Girl.—I couldn't think of any other way, and I did the duties as well as I could. I underwent a good deal. I travelled from East Port, in North America, to St. Andrew's, by myself, a distance of 70 miles through the woods. I walked all the way. The lord Mayor.—And without sustaining any injury? The Girl.—I received none. I knew the sailor's clothes would carry me through safe, and at St. Andrew's I met captain M'Intire.

The lord Mayor.—I will give directions that you be taken care of until I hear from your father, to whom I shall write to-night. You have done him great wrong by abandoning him under any pretence, but you have suffered bitterly for your disobedience. The information which the lord mayor received from Ireland was, that soon after the girl had left her home her father emigrated with many others to Canada, for the purpose of seeking his fortune amongst the numberless adventurers who ran away from Irish turbulence and starvation at that period, and that he had sent back no intelligence to Ireland since his departure. In Donegal, however, a sister of the young woman was found to reside, who expressed great joy at hearing of her relation. The lord mayor gave the girl adequate means of defraying her expenses to Donegal.

14. THEFT FROM THE CUSTOM HOUSE.—Between the night of Saturday, the 14th, and the morning of Monday 16th, a valuable collection of diamonds was

stolen from Hall's bonded warehouse, Custom-house Quay. They had formerly been the property of a distinguished Spanish Countess, who, after the death of King Ferdinand, and when a civil war was threatened by the partizans of Don Carlos, sent them to this country for their better security. The value of those sent was 12,000*l.*; and the Countess to whom they belonged having died shortly after their transportation, she bequeathed an equal portion to each of her four daughters. Of these two had since claimed their share, so that only one-half, or 6,000*l.*'s worth, remained, and these were deposited in an iron chest of immense strength on the second floor of the warehouse. In the opinion of an experienced officer, who examined the premises, the thieves had got into the warehouse on Saturday during the hours of business, and so secreted themselves in the warehouse as not to be observed by the servants of Mr. Hall, or those whose duty it was to look over and lock up the premises on Saturday night. A number of ham and beef sandwiches and several cigars, some partly smoken, together with a phosphorus-box and several matches, were found in a particular part of the warehouse. From the size of the paper in which the sandwiches were, it appeared that it had contained a good many more, which the thieves had eaten, and washed them down with two bottles of champagne, which they took from a case. In order to reach the place where the valuable property was placed, they had to force one door from its hinges, and cut through the thick pannels of another: having accomplished this, they soon destroyed the lock and fastenings of the iron chest by an

instrument called a "jack," which is the invention of one of the most expert house-breakers in Europe, and which, by being introduced into the key-hole, and worked round like a bit and brace, will destroy in a few minutes the strongest and most ingenious lock that can be made. It is perfectly evident that the diamonds alone were the object of the plunderers, for though they had broken open one box in which several gold and silver watches were packed, and another in which there were some silver forks and various articles of plate, they did not take a single article of the property from either. A reward of 200*l.* was offered for the apprehension of the offenders.

15. PRISON BREAKING.—A daring attempt by a body of prisoners to escape from Edinburgh jail was made on the afternoon of the 15th. About thirty convicted felons, all desperate characters, and most of them under sentence of transportation, were in the airing ground of the jail, when, according to what seemed to be a preconcerted plan, upon the approach of the turnkey, two of them suddenly threw themselves upon him, knocked him down, and secured possession of his keys. The whole gang then rushed out, and made their way, in the first place, to an out-house, where some gardening implements, stable utensils, &c. were deposited, and having there armed themselves with rakes, shovels, pickaxes, pitchforks, &c., rushed down the passage towards the outer door, with horrible yells and execrations. Here their daring attempt was on the eve of succeeding, but for the courage and coolness of the turnkey stationed at the outer door, who, the instant

he saw them coming, turned the key in the iron door which separates the interior from the door communicating with the street, and thus succeeded in keeping the rioters at bay. Foiled in their attempt in this way, the next object was to prevent the turnkey from communicating with the street, and to this end they assailed him with stones, broken bottles, and missiles of every description, with a view to force him to seek shelter in one of the side apartments. In this also they failed, as the turnkey intrepidly made his way through the shower of missiles, opened the street door, and running down to the Calton Police Office, immediately gave the alarm. At the same time several gentlemen at the Post Office and on the Regent Bridge became apprised of what was going on, and hastened forward to render what assistance they could. But, before this took place, the noise of the rioters having attracted the attention of Deputy Governor Fisher, who was in another part of the jail, he immediately came to the spot, and seeing how matters stood, he, with great intrepidity, and at the imminent risk of his life, made his way through this gang of desperate men, who were threatening to murder all that stood in their way, and succeeded in reaching the debtors' ward, where he made known the state of matters, on which the debtors unanimously volunteered their assistance to restore order. He then armed the debtors with whatever weapons were within reach; pokers, tongs, fire-shovels, fenders, and even pieces of coal, and thus armed, they sallied down upon the rioters. The latter seeing this force brought to bear upon them, and at the

same time perceiving that they would be overpowered by the police and others who were now coming upon them in front, threw down their weapons and retreated to their cells, with the exception of six or seven of the most desperate, who had acted throughout as the ringleaders in this daring enterprise. These, however, were soon overpowered, and conveyed to their cells, where they were secured in such a manner as to prevent the repetition of such an attempt.

VISIT OF THE TURKISH AMBASSADOR TO LIVERPOOL.—Namic Pasha, the Plenipotentiary from the Sublime Porte to the Court of St. James's, arrived in Liverpool on Sunday the 15th. The object of his visit to Liverpool and the manufacturing districts of Lancashire was solely to inform himself, by personal observation, of the extent of English improvements in manufactures, and the means of increasing the consumption of them in his own country. On the following morning, his excellency was presented to the mayor at the town-hall, where several of the most respectable and influential merchants of this place had assembled. From the town-hall the party proceeded in the mayor's carriage, on a tour of inspection through the town, taking *en route*, St. John's Market, the Cemetery, the Chain Cable Manufactory, Fawcett's Foundry, the King's Tobacco Warehouse, and the Railroad Tunnel, at Wapping. From the tunnel the party proceeded along the docks to the Prince's Dock, where they went on board the *Caledonian* American packet ship. In the course of his passage to this place, Namic Pasha noticed the great

number of American flags (all the shipping in the harbour were dressed out on the occasion,) and regretted the absence of the Ottoman flag. On his return to the Town-hall, the merchants engaged in the Mediterranean trade were introduced to his Excellency by the mayor, when the Chairman, Mr. Leathom, read an address in English, a translation of which was immediately after read by a gentleman present. His excellency replied in French, with great ease and fluency.

ABDUCTION IN IRELAND.—

The following occurrence took place in Queen's County, on the night of the 13th at a place called Castle-Fleming. Some ruffianly banditti from the neighbourhood of Aughaboe (headed by two fellows nicknamed Rover and Broguer) travelled the country to the extent of seven or eight miles, until they reached the house of a poor farmer named Howe, at Castle-Fleming, whose daughter they were determined to force away, in order that she might be compelled to marry the wretch called Rover. Having overcome every obstacle made to their entrance into Howe's house, they commenced beating the inmates, amongst whom was a young farmer, named Magrath, who was said to be on the eve of marriage with the daughter of Howe. On discovering Magrath, all their fury was directed against him. They attacked him with murderous bludgeons, and beat out his brains with the most savage ferocity. Whilst the monsters were wreaking their vengeance on her lover, the young woman whose abduction was their object, succeeded in escaping from the scene of slaughter. Finding that she had eluded them, the

party of assassins soon after decamped. At an advanced hour of the night, as Serjeant Kelly of the constabulary, and his party, were returning from Borris-in-Ossory, they suddenly came up with five men at the distance of about two miles from Howe's house, who, on being challenged, were unable to give any satisfactory account of themselves. The police took four of them into custody, the fifth leaped over the adjoining hedge and escaped. On examining the prisoners, they found concealed under the coat of one of them a hurl (a heavy piece of wood curved at the end) smeared over with the blood, hair, and brains of poor Magrath. The four prisoners were subsequently identified as having been principals in the murder. An inquest was held on Tuesday, before Mr. Delany, coroner, assisted by two magistrates. After a patient investigation, a verdict of "wilful murder" was returned against the four prisoners and other persons unknown.

On the 19th at the Nenagh petty sessions, informations were sworn by Catharine M'Namara, against John Creighton, Martin Creighton, and others, for abduction and assault; a warrant was consequently issued by the bench of magistrates. The complainant was the only unmarried daughter of a comfortable farmer of that name, residing in the parish of Island, in Galway. John Creighton, a hamlet rake and village debauchee, living in the same neighbourhood, took it into his head, by one bold stroke to secure himself a pretty wife and handsome fortune, which would enable him to give larger and longer scope to his abandoned career. Confederating with a few of his associates (among whom was his

brother Martin) at a public-house, he there revealed to them his adventurous project, and it was unanimously agreed that their leader should have a wife and fortune. Accordingly, at dead of night, they sallied forth, and soon arrived at the cottage-home of the devoted girl. A knock at the door was the first intimation that the inmates had of their danger. "Who comes there?"—"A friend, open the door!"—"What is wanted at this unseasonable hour?"—"No matter--open the door." Old M'Namara rose, and the maiden cowered behind her mother in the bed. A dead silence of some moments elapsed—a murmur of whispering voices was heard, and in another instant it tumbled the door with a crashing noise. All then was uproar and confusion—resistance was useless. Old M'Namara was felled to the ground, others of the family were unmercifully beaten, the mother's arm broken, and the maiden herself was dragged from her bed out into the bawn in almost a state of nudity! Her clothes were then brought out, and she was compelled to huddle them on her. Fearful lest powerful assistance might be brought to the spot, and that they might be deprived of their prize, the heartless wretches dragged her along to the verge of the Shannon, flung her into a boat, and splashed to the opposite shore. After landing she was literally dragged for the distance of five miles across a lonely and cheerless tract of country; and as the dawn was breaking, she was secreted, in a state of exhaustion, in the house of a friend of Creighton's, on the lands of Carrighatogher, near Nenagh. During the journey, Creighton's brothers frequently said to him—

"Glory to you, John, you can now drink and smoke enough."

The next morning M'Namara's friends were indefatigable, though unsuccessful, in their endeavours to find Creighton and his party. Mr. Reed, a neighbouring magistrate, granted a search warrant; and himself in person, with an escort of police, scoured the country, but their exertions were equally uncrowned with success. Mr. Reed having received intelligence that the offenders were in the neighbourhood of Castle Lough, sent a note by express to Mr. Anthony Parker, a magistrate, and deputy-lieutenant of the county of Tipperary. Mr. Parker, with his usual promptitude, instituted a general search throughout Castle Lough and the surrounding country. During this lapse of time, Catharine M'Namara was removed to a cabin belonging to an individual named Reedy, the local position of which was the centre of a dreary bog. While there deplo- ring her unfortunate condition she was alarmed by the cry of—"Police! police!" "fly, fly!" She lifted her head, and saw Creighton out of the back door, while a middle-sized, sandy-complexioned man and five country-fellows, who were well armed, darkened the front entrance at almost the same moment. Reedy, the lord of the "mud edifice," demanded "by what authority they dared to enter his mansion?" The man who seemed to be the leader, heedless of Reedy's question, approached the shivering girl, and asked her in a northern accent, "if she were detained against her inclination, or if she needed protection. "I want nothing else!" she exclaimed. The house was instantly cleared of a

crowd that had collected; her clothes were gathered; the little party filed around her, and proceeded silently to the road, expecting each moment to be attacked. She was afterwards conducted to the house of a respectable farmer named Quin, where she was hospitably received and entertained, and protected for the following night and day. Mr. Baxter, the leader of the little party then learned from the girl's own lips the particulars connected with her abduction. Before he went to Reedy's cottage, all he knew was, that a strange young woman was detained there against her inclination, and under suspicious circumstances. Next day she was accompanied to the sessions-court of Nenagh, where Mr. Parker was the sitting magistrate: she was admitted into the jury-room, her evidence taken and a warrant issued.

21. FIRE AT PETERBOROUGH.—A fire broke out in the city of Peterborough, which, in a few hours, destroyed sixty-five houses, besides damaging many others. The flames were first observed about a quarter past ten in the morning, in the house of a person who was in the habit of accommodating several lodgers. Such was the fury of the wind, which had been blowing a hurricane all the previous night, and which continued all that day, that almost instantaneously the house was enveloped in flames, and large flakes of blazing thatch were carried to at least fifty other houses, extending over to the Lincoln road, for the space of two hundred yards, all of which were thatched, and each in its turn helped to spread further and further the devouring element. In about half an hour from the

commencement, the conflagration formed a large stream of fire, and flowed onward from one thatched roof to another, passing over those which were tiled and slated, until it reached the corner house adjoining the extensive brewery of Mr. Squires, where it terminated, having traversed a distance of about a quarter of a mile. The site of the ruins, and the houses left unscathed, presented a singular appearance; and a stranger might imagine that a destroying angel had marked out one portion for destruction, and put the seal of preservation on others, which stood in the midst of those desolated. One woman was burnt to death, and two others dreadfully scorched. In the short space of two hours (from a quarter past 10 till a quarter past 12 o'clock at noon), sixty-six families, consisting of 300 individuals, were driven from their homes and habitations, and lost all they possessed.

22. SHIPWRECK. — A large vessel, the *Norah* of Liverpool, from Demerara, laden with sugar, rum, and other articles of West-India produce, was totally wrecked, on the Hoyle-bank. The captain and the whole of the crew, fourteen in number, perished, excepting one man, named Kenneth Macfarlane, who furnished the following narrative of the wreck, and sufferings of himself and companions:—

“The *Norah* sailed from Demerara on the 1st of January last: had calms and light easterly winds until we reached lat. 44, after which we had strong westerly breezes. Our crew numbered fifteen, including the captain. We were off the Saltees, on the Irish coast on Saturday last, at four

o'clock p.m., with a fresh breeze W.N.W.; came up channel under reefed topsails; 30 minutes past 11 a.m. abreast Holyhead; 30 minutes past 2, wind W.S.W., to the eastward of the Skerries, shortened sail and made a few tacks off and on to the westward, as the wind was variable, accompanied by sudden gusts, squalls, and rain; 4 p.m., close-reefed topsails and foresail, and set the storm trysail, and stood off ship's head N.N.W., to delay time for the purpose of getting a pilot in the morning; at 30 minutes past 10 p.m. wore ship and stood in, blowing a perfect hurricane; at 30 minutes past 3 a.m. saw the land on lee bow, wore ship, and stood off to the north; at 4 a.m. the vessel first struck, which I think was on West Hoyle; after this endeavoured to get both anchors clear; after thumping several times, a heavy sea struck her and swept the deck of boats, &c; then all hands took to the mainmast; when there about five minutes, the ship fell on her beam ends, and the mast gave way above the deck, and all hands went with it. I succeeded, by swimming, in getting to the foremast; the captain followed, but could not reach; he then got on the main-yard, and there remained a few minutes, when a sea came and took him and one of the men away. I then saw no more of them. The last man I saw on the wreck of the mainmast was George Aston; he might have been there a quarter of an hour after the others were gone. After this the vessel began to break up, the bottom separating from the top, which caused the foremast to fall forward with the head on the bowsprit. I remained there; the

wreck floating in with the flood; could see Hilbree Island at daylight, and seemed close to it; was on the wreck till 10 a.m. before I could see any one, although the top of the lee bank was then dry. Shortly afterwards I saw some men, and one of them approached the wreck; I hailed him, and he answered me; after that, and not till about 4 o'clock p.m. a boat came off, and anchored abreast of the wreck, apparently not being able to succeed in reaching it. Being so benumbed by cold, I was conscious I had not the power to swim to the boat, and had to remain on the wreck all this (the second) night. This night again the wreck floated towards the lee bank, and about midnight it was high and dry; before daylight the tide had made, and the water round it. About 7 o'clock a.m. on Tuesday morning I saw a smack nearing, with a boat astern; about 9 the boat with seven hands, took me off the wreck, and carried me to the Green Lodge public-house, Hoylake."

23. CORONER'S INQUEST.—An inquest was held in Southwark to inquire regarding the death of George Austin, a lad aged 15, who committed suicide by throwing himself off London-bridge, arising from circumstances of an extraordinary and peculiarly distressing nature. The investigation created considerable interest in the neighbourhood, not so much from the violent and untimely death of the subject of the inquiry as a development of a charge of murder alleged to have been committed about two months since. The finding of the body, and the absence of all marks of violence, having been proved, the father of the boy stated that the deceased had

been employed in a brass manufactory. The last time he had seen him was early on the morning of Monday the 20th of January, when the deceased went out to his work, receiving, as usual, 7*d.* for his dinner. On the previous Saturday he appeared thoughtful and dejected, which was attributed to his having complained, that his master had threatened to stop his wages in consequence of some of his work having been deficient. The deceased was in the habit of bringing home his wages on the Saturday; he was a very good boy, and had never been absent from home but one night, which was on Christmas-eve last; he accounting for it by saying that he had been invited to a party of young friends, and on their breaking up it was too late to return home before going to work. The boy's master stated that he remembered the Saturday previous to the Monday on which the deceased was missed, and noticed that the lad was confused over his work, and appeared very dull. There was not, however, any threat held out to the deceased that his wages were to be stopped on account of his having spoiled the best part of his work on that day. Witness was not aware of any circumstance that annoyed his (deceased's) mind.

William Barstolow, a lad of 15, worked at the same manufactory with the deceased. He deposed that, on the Saturday preceding the Monday on which the deceased was missed, the latter was very different in his manner from what he usually was; he was confused and dull, and the work he undertook to do he was unable to proceed with. He (deceased) said he was distracted in his mind, and

VOL. LXXVII.

having sharpened the point of a large clasp pocket knife by the grind-stone on the premises, said he should stab himself with it before the morrow night, or make away with himself somehow, and end his miseries. On the same day (Saturday) the deceased told witness that, about three weeks before last Christmas, as he was returning home in the evening from Shoe-lane to his father's house, he called at his brother-in-law's, who gave him more to drink than he (deceased) was accustomed to. On leaving the house, he met with a young woman who persuaded him to go home with her, and he stopped at her lodging some time, and then proceeded home to his father's. A short time afterwards he again went to see the girl, and continued with her all night; he (deceased) visited her a third time, when his acquaintance, whose name was Sarah, had a female companion with her; both of them were intoxicated, and danced about the parlour; the girl Sarah went up stairs, and he directly afterwards heard a child scream violently, and then stop of a sudden; the girl Sarah then came down to the room he and the other girl were in, and said that "she had done for the bantling," that she had smothered it in a feather bed, by wrapping it up in the same, and then placing a large trunk on the bed. She then went up stairs again, and in less than a minute returned to the room with the corpse of the murdered infant in her arms, which was as black as a coal. The sight shocked him so much that he was nearly fainting, and he was anxious to leave the house, but, as a knife was lying on the table, he was afraid the girls would murder him if he attempted to quit; that, on

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the same night, the girls buried the body of the child under the stairs; that he was so shocked and alarmed at the murder the girls had perpetrated, that he never went to see them again; that subsequently a boy, called the Countryman, met him (deceased), and said that the girls were in the habit of going to the Brown Bear, opposite the London Dock-gate, and that he had met them there and heard the girl called Sarah accused of having murdered a child, which she denied, asserting that a lad named George Austin had committed the deed; and, continued the boy, Countryman, to the deceased, "Keep away from there if you don't wish to be hanged." Barstolow stated that the deceased, in relating all the above circumstances to him, expressed the greatest dread and horror at the situation he had placed himself in by his own imprudence, and added, that, a few days previously, he had met the girl Sarah in the street, and because he would not accompany her home to her lodgings, she abused him and said, "Then, so help me G—d, I will split about the murder, and get you scragged" (hanged); and also threatened that if he did not get her 4*l.* by the following night, to get him (deceased) apprehended immediately; that he was so alarmed at the threats held out that he ran away, when the girl pursued him calling out "stop thief!" but that he succeeded in getting away, and reached his father's in a state of great distraction.

The boy Barstolow underwent a strict cross-examination by the coroner and jury, in the course of which he stated that the deceased did not tell him where were the lodgings he visited the girls at, nor

had witness a knowledge where the deceased's father lived, or else he should have gone to him after the circumstances the deceased related to him on the Saturday.

Pennington, the policeman, stated, that he had been to the Brown Bear, East Smithfield, but had not been able to trace the girl called Sarah, or her female companion. From subsequent inquiries, however, he had every reason to believe he should be successful in a few days. He had also seen the boy called the Countryman, whose name was Peake, and who, on being questioned by him (Pennington) respecting what he told the deceased about the girl, Sarah, accusing him of murder, became confused and alarmed, and in denying the same equivocated very much.

The inquest having been adjourned for the purpose of farther investigation, on its reassembling, Pennington, the policeman, stated that he had traced the girl whom he suspected to be the same alluded to by the deceased, and known by him as Sarah, and ascertained that she had been delivered of an infant about the time the deceased alleged the murder to have taken place. Her name was Luff, but on minute inquiry he had ascertained that the child was in the Foundling Hospital. The girl Luff knew the lad, and was, with other girls, in the habit of meeting him at the Brown Bear. As yet, he had not been able to trace any other girls known to the deceased, and in the habit of frequenting the Brown Bear, except one known by the name of "Dosey Bet," but no proof had been shown that she had ever been pregnant.

The lad Peake, known by the name of the Countryman, was next

examined ; and notwithstanding he was cautioned by the coroner, he denied ever having told the deceased not to go to the Brown Bear, for fear of being accused of the murder of the infant, although he admitted being in the habit of going to the Brown Bear often with the deceased, and there associating with the worst of characters.

There being no further evidence, the coroner addressed the jury at considerable length, observing that the mysterious allegation of murder must be left to future inquiry, and they were only to consider their verdict as to the death of the deceased.—The jury returned a verdict of "*Insanity.*"

25. ILLEGAL THEATRES. — BOW STREET.—Informations preferred at the instance of the lord chamberlain against certain performers of the Strand Theatre, for playing for hire without being licensed, were brought forward before Sir F. Roe and Mr. Minshull, Mr. Adolphus appearing for the prosecution, and Messrs. Phillips, Clarkson, and Bodkin, for the defence. The first information heard was against Wm. Mitchell, and charged him with having, on the 5th of January last, without having obtained a licence from the lord chamberlain, performed the part of Fixtore, at a place called the New Strand Theatre, in a farce or opera entitled *A Rowland for an Oliver*, contrary to law. The defendant pleaded *Not Guilty*. Mr. Adolphus then proceeded to state, that the informations in this case were prosecuted in the name and by desire of his majesty's lord chamberlain, against the parties whose names were set forth in the informations, for acting at an unlicensed theatre, contrary to the

10th of George II., whereby they had severally incurred a penalty of 50*l.* for each offence, and it was for the recovery of such penalties that he now appeared. The circumstances of the case were then described. The parties charged had thought fit to open the theatre notwithstanding a refusal of the Middlesex magistrates to grant a licence for it, and the consequence was, that the lord chamberlain, feeling that the offence was committed within the jurisdiction of his office, conceived that he was bound to prosecute in order that the magistrates might decide whether or not the defendants were justified in assuming the power of dispensing with the laws. The parties now on their defence had resorted to an evasion ; it was this—if a person purchased a ticket of admission to the Victoria Theatre, it would entitle such person to a seat in the Strand Theatre. But, even if the public were admitted free to the theatre, the defendants would still be liable to be fined, under another clause in the statute for selling wines and spirituous liquors on the premises without being licensed. The learned counsel then called Rodimer, clerk to Mr. Hitchcock, the solicitor for the prosecution, who proved that, on the night of the 5th of January, he went to the Strand Theatre and purchased a ticket for the Victoria Theatre for 2*s.* He observed to a person whom he saw at the door, "This purports to be a ticket for the Victoria Theatre too," to which the person whom he addressed replied, "You can make your election." He then left the ticket with the person who stood at the door, and passed into the house. The witness here produced a bill of the entertain-

ments on the night in question, which he bought in the house. The defendant, Mr. Mitchell, played the part of Fixture in *A Rowland for an Oliver*, and Mrs. Waylett performed the character of Maria Darlington. Mrs. Nisbett also performed on the same evening. The witness added, that between the performances he went to a small saloon in the theatre, where refreshments were sold, and called for a glass of sherry, which he paid 6d. for.—Henry Nisbett, clerk to Mr. Pritchard, a solicitor in Lincoln's-inn-fields, proved that he went to the Strand theatre on the same night, and paid 4s. for a ticket for the Victoria, on producing which he was admitted. He corroborated the evidence of the last witness.

The witness Rodimer was then recalled to prove that he searched the records of the Patent-office for the last one hundred years, and found no patent for the Strand Theatre.

Mr. Charles Stewart Addison, from the lord chamberlain's office, also proved that no licence to allow dramatic performances at the Strand Theatre had been granted by the lord chamberlain.

Sir F. Roe, after consulting with Mr. Minshull, said that they were both of opinion that the evidence produced fully bore out the allegations contained in the information, and the defendant must, therefore, be convicted in the penalty of 50l.

Mr. Forester, another performer at the same theatre, was then charged with having on the 5th of January last performed the part of Alfred Highflyer, in the farce of *A Rowland for an Oliver*, and in another piece.

He was convicted on each information in the penalty of 50l.

25. LOSS OF SEVEN PERSONS IN THE MERSEY.—A number of workmen, engaged in repairing the embankments of the river Mersey, about Dunham, had to cross the ferry at Hollins-green, to and from their work. About eight o'clock in the morning a number of these men presented themselves at the ferry, to cross the river, and they incautiously trusted themselves in a small punt, instead of a larger boat kept at the ferry, and which ought to have been used. Including the two boatmen, the company consisted of fourteen persons—a load which brought the edge of the boat near to the water's surface. There was a swell in the river at this time, caused by rains, and the current was very strong. When the boat got into the current, it became unmanageable, and in a few moments upset. All the fourteen men were precipitated into the water, seven of whom managed with great difficulty to regain the shore, but the remaining seven perished. The calamity was so sudden, that available assistance was out of the question. In a short time numbers had flocked to the scene, and the bodies of five of the drowned men were found in the course of the morning.

— EARTHQUAKE IN SOUTH AMERICA.—Accounts from Chili of the 28th February, brought intelligence that, on the 20th, an earthquake had occasioned the total destruction of the cities of Talca and Carico, with the towns of Conquenes, Linares, and Chilian. In Conception not a house was standing, and all the workmen who were repairing the cathedral of that city were buried in the ruins.

MARCH.

1. OUTRAGE IN IRELAND. — Between the hours of 10 and 11 at night, an armed banditti broke in the door of a farmer named M'Namara, on the lands of Clough Puir, near the town of Nenagh. Two of the ruffians having dragged him from his bed, they placed him in a kneeling attitude on the centre of the floor; one of the miscreants then cocked a pistol at his head, while the other tendered him a book, adding, with dreadful imprecations, that if he did not swear to give up the land which he held, his brains should bespatter the spot whereon he knelt. M'Namara refused with resoluteness and courage, and some more of the party rushing in, they dashed him prostrate, and beat him so unmercifully that not only his breeches, stockings, and shoes, were saturated with blood, but blood absolutely oozed from his eyes and ears. Mrs. M'Namara, on recovering from the senseless state into which she had been thrown by the horrible scene enacting before her, and seeing the body of her husband all over gore, flung herself, with a baby of six weeks old clinging to her bosom, between her husband and his murderers. Upon this, and as she covered her husband's person with her own, one of the miscreants, who was called "No. 7," with a blow of a hurl, severed her cheek entirely from her face. After otherwise exhausting their vengeance on their victim, they retreated from the dwelling of the nearly murdered pair. One of the Nenagh magistracy, having early intimation of the outrage, immediately drove from his residence to the scene of bloodshed. On his arrival

at the house he found M'Namara a mass of mutilated flesh!

4. ARSON. — WINCHESTER. — George Knowlton was indicted for having, on the 2nd January, maliciously set fire to a barn, stable, outhouse, and buildings, the property of E. P. Buckley, Esq. Mr. E. P. Buckley stated, that he lived about 300 yards from his outhouses, and that he saw the whole of the outbuildings on fire about 11 o'clock on the night of the 2nd of January. Prisoner had worked for him about a month before. There had been a vestry meeting that morning, at which the prisoner applied for work or relief. Witness stated to the vestry that he thought he ought not to be relieved, because he had refused to work for him on very easy terms; the vestry had not any work at their disposal. The prisoner got no relief, and then became very violent.

George Fielder said, the prisoner was at my shop about six o'clock on the evening of the 2nd of January. He said he had been to the vestry, and could get no relief, and added, "Don't be alarmed, if you hear something before morning," and that he should go home and get his tackle and be off. I said, "Don't kill or rob anybody." He said, "No, unless any one interrupts me." He had on a white smockfrock. He went away about half-past 8 o'clock. I went to the fire at 11 o'clock, but did not see the prisoner there till 3 o'clock in the morning. He then had on a dark short jacket.—Jane Thomas.—My husband is a shoemaker, and our house adjoins that of the prisoner. There is a door between the houses, so that we can hear any conversation in the next house. The prisoner came

home between 8 and 9 o'clock that evening; his wife spoke to him. They afterwards talked loud. I heard him say—"I will go and do"—but the child cried, and I could not hear the remainder of the sentence. His wife said, "George, don't do it, don't do it," but he said, "I will do it." She then locked the door; he instantly unlocked it and went out. In about 10 minutes afterwards prisoner came back, went across the room, and then went out again directly. The fire was about a quarter of a mile off. My husband went out with some work between 8 and 9 o'clock, and returned soon after 9 o'clock. The prisoner had then gone out the second time. We went to bed about 10 o'clock. The prisoner's wife gave the alarm of the fire about 10 minutes after 11 o'clock. He had not then returned—Another witness had seen the prisoner about a quarter of a mile from the premises, a few minutes past 9 on the evening in question. He at first made no answer to the witness, who addressed him; but on the witness repeating, "George, is it you?" he said, "Yes;" and then complained that Mr. Buckley had refused to give him either work or relief. The constable who had apprehended the prisoner on the 3rd January, deposed—He remained at my house till the following Saturday, when he desired me to take down something in writing. I cautioned him, but he said he wished me to do it. I then wrote down what he told me, and afterwards read over to him what I had written. My son and two other persons were present, and we all cautioned him. In this statement, which was then read, the prisoner said he had met Tho-

mas Thomas that night, who said to him "Now, George, if you will go home and get some matches, flint, steel, and tinder, I will set the premises on fire;" that he then went home and got those things, and gave them to Thomas, who put the light into the cow-shed, and then they both ran away; that after he (the prisoner) had gone a little way, he stopped, and saw the flames burst out, and heard a cow make a noise; and he went on and returned again, when the fire was nearly out; that Mr. Buckley passed him twice, holding the lighted lantern close to his face, and he then thought he was done, for if Mr. Buckley had searched him he would have found the flint and steel in his pocket. The jury found the prisoner guilty, and he was sentenced to be hanged.

6. CENTRAL CRIMINAL COURT.—PIRACY AND MURDER.—Jumbo and Bottle-of-Beer, two black sailors, were indicted for piracy and murder on the high seas, in having, on the 15th of August last, made an assault upon Benjamin Glasscock, on board a vessel called the *Amelia*, and inflicted divers mortal wounds upon the said Benjamin Glasscock, whereof he died. The prisoners, African blacks, were allowed to sit during the trial, being unwell. They pleaded "not guilty."

William Ives Stubbs examined.—On the 30th of November, 1830, I left England for the coast of Africa, as a seaman, on board the *Calypso*, commanded by Captain Jewell, with whom I remained two years, and then went on board the *Pelorus*, a King's ship, from whence I shipped myself in the *Amelia*, designing to come home to secure some property be-

queathed to me since my departure. The *Amelia* was then lying in the Cameroon river, and the crew consisted of two seamen, named Rourke, and Dobie, a carpenter, a cooper named Griffiths, and Gould, the mate. There was also a man named Seaman on board, but he was not on duty. The vessel traded in ivory and gold dust. Her burden was 127 tons. We took on board four natives, but two of them were discharged, and the two prisoners retained. They could speak a little English, worked as seamen, and were called boat-boys. Having also taken on board Campigny, a steward, and Royal, a cook, we sailed south of the Line, and on the 20th of August we were about 300 miles from land. I went up at midnight to watch; Bottle-of-Beer was in the watch, Rourke was at the helm, and Captain Glasscock was lying asleep on a hen-coop upon deck. At 2 o'clock I took the helm, and about half an hour afterwards, I was looking up to the sails, when Bottle-of-Beer suddenly cut me across the head with a cutlass, and repeated the blow a second and third time; I fell, and received another blow from him which broke my jaw. During this attack I saw Jumbo, the other prisoner, cut the captain across the throat with some instrument I could not discern. It was a sudden blow, and the captain did not cry out. I called out murder, and fell through the hatchway into the cabin, when I became insensible. When I recovered, I saw the after part of the cabin on fire, and endeavoured to get upon deck, but was unable. The prisoners had left the vessel in a boat. Rourke carried me into

the fore-castle, from whence I was afterwards taken and placed in the remaining boat with Royal, Rourke, Griffiths, Dobie, Gould, and Campigny. They rowed away from the vessel, which was rapidly filling with water, and after seven days and nights, we reached the Bonny, on the coast of Africa, and were taken on board the *Richard Rhymer*, by the captain, who, with the masters of other vessels, was informed of what had taken place. Captain Glasscock bought cutlasses to trade with; they were kept in the cabin, where Jumbo attended upon the captain, who frequently said he would sell the prisoners for slaves, but was understood by the white men to be joking.

Cross-examined. — I was sent home as a prisoner, and though I have seen the other men since, I still believe I was the only one in that situation. The captain was not in the habit of sleeping in the open air at nights; such a practice in tropical climates is considered almost certain death. I saw it was Jumbo who struck the captain, by the light of the binacle. The deceased wrestled with him, but said nothing, that I heard. I might have stated at Liverpool that I got up without the assistance of Rourke. I do not recollect the name of the master of the *Richard Rhymer*. I remained on board of her a fortnight, then went to the *Richard Walker*, and afterwards came home in the *Heywood*. Dobie was in the *Richard Walker*. I never knew that the deceased had property, or heard him boast that he had 3,000 ounces of gold-dust on board. A small box containing money was put into the boat and broken open by

Rourke. The contents were shared amongst us. I had 9*l*. and the other six an equal share. I did not think that a dishonest transaction, and mentioned it before the Mayor of Liverpool. I did not say a word about it in the Bonny. [On reference to the depositions taken at Liverpool, it was found that he did not state the fact.] I produced a gold chain and two silver watches, which fell to the share of Dobie and Rourke, who had 9*l*. in money also. I gave 5*s*. to each man for allowing me to keep the watches. There were two muskets and a pistol on board, which the prisoners were aware of. They killed three men, and the steward died in consequence of being severely burnt. The prisoners made the first attack, though they knew there were nine white men on board. I heard Gould say he had wounded one of the men in the hand.

By the Court.—I arrived at Liverpool about six weeks ago, and saw Dobie and Gould. I was a prisoner, but was set at liberty about three days before I came to London. The prisoners were previously quiet and inoffensive men. I think I received three blows before I could call out murder, my mouth being filled with blood. The money was divided at Rourke's suggestion two or three days after they left the ship, which was 700 or 800 miles from Cape Palmas, her destination. The prisoners could not have put the ship about and made land by themselves.

William Rourke, seaman, examined.—When I was relieved at the helm by the last witness, I hove the lead at the order of the deceased, and then went forward

and sat down with my head towards the stern, the deceased being on the larboard side, Jumbo and Bottle-of-Beer being on deck at the time. The latter had been attending the sick in the cabin. When I heard the alarm I turned round, and Stubbs instantly disappeared from the spot where Bottle-of-Beer was standing. Jumbo was standing by the side of the captain, who was lying on the deck, and on my going aft I perceived that Bottle-of-Beer had a cutlass and Jumbo a war-axe, which belonged to the captain. The former cut me over the head, and I seized his arm, but he struck me again in the back. The captain did not appear as if he had struggled across the deck. I ran down the forecastle and alarmed Dobie, Royal, and Griffiths, who had just turned in. I told them the ship was taken by the two blacks. Royal told me I was dreaming; Dobie, however, took an old sword and went upon deck; I procured an adze out of the carpenter's chest and followed him, when I saw one of the prisoners, I think it was Bottle-of-Beer, strike him three times, and he fell into the scuttle. I remained below and heard an explosion of gunpowder. Some one then let go the braces, and stopped the way of the ship. Hearing a noise at the bulk-head, which divided the forecastle from the hold, I broke it down and Gould came to me. The carpenter and the steward were ill in the cabin, but the latter afterwards went into the scuttle and reported that the prisoners were gone. I then went on deck, and discovered that the ship was on fire on the quarter-deck, aft, both above and below, and it appeared

to have burnt upwards from the cabin. I found the captain on the starboard side ; he was dreadfully cut, and could scarcely crawl or speak ; but after some time he told me to keep the ship in to land. He staggered about, and then lay down on the deck, and lived till about ten o'clock next morning. We endeavoured to extinguish the fire, and succeeded. I afterward found the carpenter on the larboard side ; he was both cut and burnt. I went into the cabin, and after removing the furniture, which had been damaged by the explosion, I found a box, which I brought into the boat. It contained some silver, a little gold-dust, and some Spanish money, but I was not aware of the contents at the time. We left the ship because she was sinking. The steward was severely burnt. I went to the Bonny river, from whence I came home in the Huskisson with Royal and Griffiths. We were in custody.

Cross-examined — It was a fine clear night. I was about five yards from the forecastle at the time of the affray. I saw that the steward's arms and the breast of his shirt were burnt, but he did not tell me how it had occurred. I saw the two prisoners in a boat about 200 or 300 yards from the vessel, and pointed them out to my companions, who were all on deck at the time. The prisoners were apt to get drunk and were sometimes very unruly, which made the captain very angry with them, and they were "started" more than once for it. I do not know what provisions they had in the boat. They were about twenty-five miles south of the Equator, and a great distance from land, and were therefore

liable to be lost. The money taken out of the box was brought to Liverpool by Captain Mitchell, of the Huskisson, with the exception of some we paid for clothes at the Bonny. Before the prisoners left they called down the hold for us to come up, saying that they were going to burn the ship, and shortly afterwards an explosion took place, which sounded as if they had fired a shot through the bottom of the ship. The captain was frequently in the habit of sleeping on the hen-coop, and Stubbs must have known it.

John Gould, mate.—I heard a cry of murder, and instantly afterwards saw Stubbs fall through the scuttle, much wounded about the head. I got a cutlass, and was going up the ladder, when I saw Jumbo on deck, with a battle-axe ; he tried to hit me, but did not, and I then cut at him as fast as I could. I wounded him upon his wrists, sides, and legs. He had nothing on but a cloth round his middle ; but I cannot say whether he bled or not. He called out for a musket, and shut down the companion-door, and I then heard scuffling over head. I thought I heard the captain trying to speak, but he could not. The captain fell through the scuttle, and in so doing knocked over the lamp, which fired three powder-barrels and caused an explosion. I did not see the prisoners in the boat ; Stubbs went up the rigging to look out, but did not report that he saw it. I went to the helm, and Royal went to sew up the captain's throat, which had been cut from ear to ear. As the water gained rapidly on the ship and rose to the combings of the hatchway, we were compelled to leave her. The steward died from

the burns in the boat. I received about 5*l.* or 6*l.* for my share. I worked my passage home in the brig *Ida*.

Cross-examined.—I never said the weapon in Jumbo's hand was a case-knife. [On reference to the depositions taken in the *Bonny* it was found described by the witness to be a case-knife, notwithstanding which he persisted in affirming that it was a battle-axe.] I ordered three muskets to be loaded, but I did not see it done. There was a quarrel between the deceased in the preceding August, at Fernando Po, and the crew, among whom were Dobie, Royal, Griffiths, and witness; but I was on shore at the time. There were several other quarrels. I was close to the gun-powder when it exploded, and was much injured. It made a noise as loud as a dozen guns, and the deck was blown up. When the box was shared, I got a breast-pin which belonged to the captain. I did not mention this at Liverpool, for fear of the damage. I feared I might be suspected of having had a hand in the murder, but I have no such fear now. If the prisoners are acquitted, I am not afraid of being accused. The prisoners were very quiet men.

Henry Dobie was then called, but was so ill and weak, that his examination was dispensed with. His face was frightfully marked with a cut extending from the left cheek bone, across the nose, to the right side of the mouth.

John Royal examined.—After hearing the scuffle above, I heard Bottle-of-Beer call me. He said, "You my friend; you savee me very much; I want talk with you." I refused to go up. He also called Griffiths, the cooper, but he de-

clined. I heard the explosion, which I took to be the firing of the great gun. When I went on deck, I saw the prisoners in a boat about 500 yards astern, rowing away. I found the captain with his windpipe cut through, and I tried to sew it up.

Cross-examined.—Stubbs had not strength enough to go up the rigging; had he attempted it he must have fallen head-long. The captain was much burnt as well as wounded. He might have been able to come up the companion-steps after he had fallen through the scuttle with his throat cut. The captain was kinder to the blacks than the white men. Expected on arriving in the *Bonny* to be charged with murder, and was actually put in irons. Expects to be secure, even if the prisoners are acquitted.

William Griffiths, the next witness, related with some trifling deviations the main facts detailed by the other witnesses. He had heard the captain say that he had 2,000*l.* or 3,000*l.* worth of gold-dust on board. There were doubloons in the box, but no sovereigns.

Mr. Richard Carius Oldfield, was surgeon on board the brig *Mars*, in March, 1834, a vessel trading to Fernando Po. On the 24th of August a boat was descried about a mile and a half off, rowed by the prisoners, who endeavoured to avoid the vessel, but the jolly-boat was put off, on perceiving which they jumped into the sea, and were afterwards taken into the boat much exhausted. The slave trade is carried on in that particular latitude. A boat-cloak used as a sail was found in their boat, and about 2*lb.* of beef, but no water. They were then about 500 miles from land. Bottle-of-

Beer was much cut about the left hand with a cutlass, and he said he had done it in cutting away the boat. He had no other wounds. Jumbo appeared to have been scalded, but had no cuts. They said they left the *Amelia* because the captain threatened to take them to England, instead of their own country, and that they left him asleep on the hen-coop. During their passage to England, in the *Mars*, they conducted themselves with great propriety. The master of the *Mars* confirmed these statements.

The prisoners in their defence extended their hands, and with a kind of earnest simplicity said, "Not true; not true; all lies; very much lies."

Mr. Justice Vaughan in summing up, said there could be no doubt that a foul murder had been committed, but the difficulty was to decide who were the perpetrators.

The Jury retired, and after deliberating twenty minutes returned a verdict of *Not Guilty*.

9. COAL-PIT EXPLOSION.—An explosion of fire-damp took place in a pit near Wigan, where six persons were at work. The pit they were working in was one out of which nearly all the coal had been got. Another small shaft had been sunk adjoining this, but about six yards deeper, in order to get out the remainder of the coal from some part of the mine. This small pit had always contained a great quantity of inflammable air, owing to which a piece of cloth had been placed at the bottom of the pit to conduct fresh air, to ventilate the mine, so as to render it in working order. Unfortunately, the cloth had not been left in its proper place the preceding Saturday. On

one of the workmen, named Peter Tabernier, going into the colliery with a lighted candle, when he had reached a distant part of the mine, he perceived such symptoms of an approaching explosion as are well known to miners, and being apprehensive that the fire-damp had caught fire, he immediately hastened back to get out of the pit; and, at the same time, he called on the others to follow his example, but either from fear, the suffocating nature of the air, or some other cause, they did not, except a man named Parr. Almost immediately an explosion took place, which buried three women and one man under a mass of earth, &c., and threw other two a distance of fifteen or twenty yards, and dreadfully burnt them. The four unfortunate persons were immediately searched for, but it was upwards of eight hours before the bodies were got out. They were greatly mutilated and quite dead. The three females were sisters, their ages, nineteen, seventeen, and fourteen. Had Tabernier taken the precaution of using Davy's safety lamp, instead of approaching with an unguarded light, which, as soon as it approached, set fire to the explosive fluid, this accident in all probability would not have happened. He had one of the lamps at home but out of repair, and through the extreme poverty to which he was reduced, he could not afford to get it repaired.

13. MURDER.—APPLEBY.—John Greenwell was indicted for the wilful murder of Thomas Grisdale, at Patterdale on the 8th March.

George Greenhill deposed that, on Sunday preceding, March 8th, he and the deceased went to the

White Lion public-house in Patterdale. There were many persons in the house, and among them a young man named Bainbridge and the prisoner Greenwell. There was a great deal of noise, but the deceased was very quiet and took no part in it. Greenwell quarrelled with a man named Rothay, and they had a little fight or scuffle for about five minutes. They both went down on the floor. The deceased lifted them up, and seemed desirous to part them. After they had got up, Bainbridge and the prisoner Greenwell said they would fight any two men in the dale. The deceased said very good-naturedly, that if it was day-light he would take both of them, and he would then in the house, if anybody would see fair play. After this Bainbridge and Greenwell became so troublesome, that the landlord put them out. In the course of a little time the latter returned, and was again thrust out, but in these matters the deceased did not interfere. In the mean time the witness and two lads went out of the house with the deceased. Soon after, they saw Bainbridge call Greenwell to the end of the house, and they procured each a stick, about a yard long, and a little thicker than a walking stick. They came running towards these three, who ran out of their way for some distance, when the deceased, having retreated awhile, said, "I have not melt (meddled) with them, why should I run away?" and stopped. The witness ran on about twenty yards further, and then stopped also. On turning his head, he saw the prisoner Greenwell run up to the deceased, and make a push at his belly, and then at his breast near the neck. The deceased

seized the prisoner by the collar and pushed him away, and then put one hand to his belly, and the other to his breast, saying, "Oh, Lord, I'm killed, he has stabbed me." Witness and his companions then ran up to him, and the prisoner ran away. They soon after found the prisoner lying beside the wood, and told him to get up and go before them to the King's Arms public-house in Patterdale. Being afraid of him, they told him to throw away what he had, and he threw a pipe from his pocket. They followed him, and he was taken into custody. The next morning a knife was found at the place where the prisoner had lain down, which was bloody. It appeared in the subsequent evidence that this knife belonged to Bainbridge, but had been borrowed by the prisoner just before the commission of the fatal deed. A surgeon was sent for to the deceased, who was taken to the White Lion, where he died in three quarters of an hour. John Chapman and Thomas Chapman, two witnesses who were with Greenhill, corroborated his testimony, which was also confirmed as to several points by other witnesses, without varying the general features of the case. The surgeon stated that either of the wounds was sufficient to cause death, and he could not state which was in fact the cause of the death as distinct from the other.

In summing up the evidence, the learned Judge defined the distinction between murder and manslaughter upon provocation, and put before them all those circumstances in the case which had any tendency to justify the more merciful conclusion; but after a short retirement the jury found the prisoner *Guilty* of wilful murder.—

Sentence of death was then pronounced upon the prisoner, and the execution ordered to take place the following Monday.

EXECUTION OF AN INNOCENT MAN.—In 1816, the wife of a man named Savage had been murdered by her husband, in the county of Waterford, in Ireland—on account, it was supposed, of jealousy. After committing the murder in a very barbarous manner, he had thrown the body into the Suir, and a trace of blood was clearly distinguishable from the place where the murder had been committed to the river. That the murder had been perpetrated by the husband was never denied or questioned. The murderer had never been seen in Ireland or England afterwards, excepting once, about two years ago, when he was met on a mountain by the brother of his deceased wife, by mere accident. The brother was horrified at meeting him, and reproached him with the murder. His answer was, that he was sorry he had not killed more of them. He was never seen afterwards, till he was apprehended, as was thought, in Ireland in December, 1834. The person thus apprehended was brought to trial for the murder at the Waterford Spring Assizes in the present month. He was indicted as being Savage. Three witnesses, two of whom were brothers of the murdered woman, swore to his identity; others were doubtful. The jury, however, found him guilty, and sentence of death was pronounced. One of the brothers-in-law who swore to his identity observed, that there was a mark or cut upon the cheek of the murderer, and that a similar one was on the chin of the prisoner. Previous to his execution

he was shaved, and no such mark was found upon him. After his sentence, and until the moment of his execution, he continually, and in the most solemn manner, declared his innocence. The sister of Savage, having obtained permission to visit her brother, proceeded to the condemned cell, but immediately on seeing him turned back again, exclaiming that the man was not her brother. It is said that on being first arrested he acknowledged his name to be Savage; he returned an affirmative to every interrogatory put to him; fits of falling sickness, to which he was subject, had the effect of reducing him to the state of a simpleton or an idiot. The sentence, however, was carried into execution, before it was finally ascertained that he was not Savage, but a man named Edmund Pine, from the county of Cork, who had never been married. On the 31st of March, Lord Brougham, in the House of Lords, requested some explanation from government regarding this unhappy occurrence. The Duke of Wellington stated, that Judge Torrens, before whom Pine was tried, had directed an attorney and a counsellor to defend the prisoner, and to communicate with him on the subject of his identity; but the prisoner maintained a dogged silence, and the fact of identity was the sole question for the consideration of the jury at large. The prisoner's identity was sworn to by his two brothers-in-law, and by another person who was not connected with him. On the other hand, a witness swore that "if he was the man named in the indictment, he was so altered that he did not know him then." Some other individuals were ready to

swear to his identity, but the learned judge thought that the previous evidence was quite sufficient. The prisoner never brought forward any evidence to show who he really was. There was not, therefore, the smallest doubt as to the propriety of the conduct of those who were concerned in the proceedings.

17. **SUICIDE.**—An inquest was held in the Waterloo road, on the bodies of Isaac Star Clason, a native of New York, and a female, who lived with him, both of whose deaths occurred in consequence of suffocation, produced by inhaling the vapour emitted from burning charcoal. The bodies were lying side by side on a bed, in the small room which the deceased had occupied, and every thing around exhibited the utmost poverty. Mr. Clason's person was covered with a thin blanket, his face was distorted, but that of his unfortunate companion was serene, and appeared as if she was only in a tranquil sleep. All the crevices in the room, together with the seams of the door, the windows, and doors of the two cupboards, were stopped up with strips of brown paper pasted over them, so as to exclude the external air. It was evident that great pains had been taken to do it effectually. Near the bed-side stood a red pan containing the embers of the charcoal, all of which had been consumed prior to the discovery of the bodies, and on the mantel-shelf stood a phial filled with laudanum, and an open razor. The landlord deposed, that the deceased had been lodging at his house for the last four months. The female, who described herself as the wife of Mr. Clason, took the apartment on a Thursday, and they came there

together on the Saturday following. They paid the first three weeks for their lodgings, but after this they did not, and as he saw there was no probability of getting his rent, he gave them notice to quit. About a month ago the witness expressed a wish to the female to see Mr. Clason, who never quitted the room during the whole time he was there, and in the evening he went up, for the first time since they were there, and saw Mr. Clason, who was lying in bed. On that occasion the witness spoke to him about the rent due, and he said that he had only to wait a short time longer, as he would then have plenty of money coming to him. The witness described that he was glad to leave the room as soon as possible, owing to the unwholesome smell, and he then saw that they were in great poverty, and that it was evident that they had not only made away with most of their own clothing, but that also contained in the room belonging to himself. Subsequently to this the female was requested to leave the house, Mr. Clason never making his appearance, and she was told that no rent would be required of them; she, however, said that on the Friday the whole of the rent due would be liquidated. The same night, however, she came down stairs about half-past ten o'clock. She appeared very distressed and miserable, and addressing witness said, "We can't pay the rent, Mr. Close, but we shall both leave your house to-morrow morning." She then had a halfpenny bundle of wood, and went up stairs. The next morning witness sent up his man to see if they were preparing to leave the house, and on knocking at the door and no answer being returned,

it was burst open, when the deceased were both found lying dead on the bed.

A surgeon proved that the deceased persons had died from the effects of suffocation. He was of opinion that they had been dead for eight or ten hours, when he was called in to examine the bodies. He also described the care with which all the apertures, including the chimney, in the room, were stopped up to prevent the atmospheric air from entering. A Mr. Thompson attended for the purpose of stating that he had known the deceased Mr. Clason, for a period of eighteen years. He first became acquainted with him at New York, where his family, who were of great respectability, resided. The deceased was intended for the profession of the law, but being fond of travelling, he left America, and having been left considerable property, amounting to nearly 18,000*l.*, he came to Europe about two years ago, and being naturally of extravagant habits, he expended his property on the Continent and in this country. For the last twelve months he had been lost sight of in London, until about a month ago, when he sent the female now deceased to him (Mr. T.) to say that he wanted to see him particularly. Mr. Thompson went to the lodgings in Mitre-street, and was shocked on seeing the deceased in such poverty, and offered him some money, but he refused to accept any, saying that he expected remittances daily from his brother in New York. He appeared to be very much dejected, was lying in bed, and complained of having had an attack of rheumatic fever, from which, however, he was then getting better. He saw him once after this, and he

still manifested great dejection of spirits, and after this last interview he had not heard of him again until he was apprised of his death: he never knew that the deceased was married. The female deceased also seemed to partake of the dejection and melancholy of her unfortunate companion. A Mr. Green stated, that Mr. Clason lodged at his house about two years ago, and at that period he was in very good circumstances; since then, however, he imagined that he had left England for America, and about a week ago he (Mr. Green) received a letter, with one inclosed in it, from New York, from Mr. Clason's brother, requesting him to give the enclosed letter to the deceased. Not aware whether the deceased was in England or not, he had no opportunity of delivering the letter, and he now produced it. The coroner opened the letter in question. It was dated New York, December 13th, 1834, and was from the deceased's brother, requesting him to write home once a-month, and expressive of his regard, and that of the family, for his welfare. It concluded by stating that if his brother (the deceased) had been in New York a week previously to the date of the letter, he could have obtained for him the situation of editor of a newspaper. Mr. Green added, that within the last few days another letter came from America, addressed to the deceased at his house, the postage of which came to 4*s.* 9*d.* This, which was supposed to contain a remittance for the deceased, was sent back to the Post-office, as Mr. Green had no clue as to where he was to be found.

The jury returned a verdict that the deceased destroyed themselves

in a fit of insanity, brought on by distress.

18. DERBY ASSIZES.—Christopher Bird was indicted for stealing a tub. It was found in his possession on the night in question, but he said he had picked it up on the road.

The jury, after having conferred together for some time, turned round and resumed their seats in the box. Clerk of Arraignment—How say ye, gentlemen, are you agreed on your verdict? is the prisoner at the bar guilty or not guilty? Foreman—We are in doubt whether he stole the tub or not. Mr. Justice Littledale—Then, gentlemen, consider further of your verdict. That is the very question you are to decide. The jury then conferred for some time longer. Clerk of Arraignment—Is the prisoner guilty or not guilty? Foreman—We think he is, but we recommend him to mercy. The Judge—On what ground, gentlemen? The jury again conferred together, after which the Judge inquired on what ground they recommended the prisoner to mercy? Foreman—We leave that to yourself, my Lord. (Laughter.) The Judge—No, no, gentlemen; you must say. You had better consider of it amongst yourselves. After a further conference the jury again turned round. Clerk of Arraignment—On what ground do you recommend the prisoner to mercy? Foreman—We hear he was in possession of the tub, but no one says they saw him take it. (Great laughter.) The Judge—Gentlemen, if you have any doubt of the prisoner's guilt, you had better give him the benefit of it, and acquit him. A Juror—I think it would be best to return him quit of the crime. (Laughter.) The

Judge—Then, gentlemen, you had better reconsider your verdict. They did so, and returned a verdict of *Not Guilty*. The learned Judge remarked that a similar scene had taken place at Derby last spring.

19. BRIBERY.—CAMBRIDGE.—HENSLOW, Clerk, *v.* FAWCETT.—This was an action brought under the statute 2 Geo. II. c. 24., to recover a penalty of 500*l.* for bribing voters at the late election for Cambridge. The plaintiff was Professor Henslow, an elector of the borough. The defendant was a young man in the employment of Mr. Twiss an attorney, said to have been one of the agents of Mr. Knight, the conservative candidate. John Garner, in his evidence stated, that he was a voter for the borough, and gave his vote for the reform candidates, Mr. Rice and Mr. Pryme at the late election. The defendant came to his house about half-past seven o'clock in the morning of the 7th of January, which was the first day of polling. The defendant asked Garner if he could have a word with him, and they went into the kitchen together. The servant was there, but left upon their going in. The defendant then asked Garner if he could accommodate Mr. Knight with a vote? to which Garner replied that he could, if he thought proper; he was not confined, and could vote which way he pleased. The defendant then asked him if he would support Mr. Knight? and he answered, "That depends upon circumstances." Upon this defendant said, "I see we can do business together: have you any bills to pay?" Garner replied, he did not know that he had just then, but the article was very useful. The defendant then asked,

“ Is 5*l.* any use to you ?” and the witness answered, “ Hang you ! don’t be worse to me than you are to my neighbours.” The defendant then said, “ I am going into Mr. Brown’s to pay him, and I’ll give you 10*l.* if you like : I’ll give you 5*l.* now, and 5*l.* when you have polled.” He then gave the witness five sovereigns and said, “ You’ll go and poll for Mr. Knight ;” and Garner answered “ Now we are level-handed ; you’ve got 5*l.* and I’ve got 5*l.*” The defendant then asked the witness “ what time he would poll ;” and on being told “ at eight o’clock,” he said “ Very well, I’ll call for you at eight.” He then bade the witness good morning, and left him, but in a minute or two returned and said, “ I forgot, Mr. Garner ; we don’t poll this morning till nine, and I’ll call for you at that hour.” The defendant having quitted the shop, a Mr. Ison came in, to whom the witness showed the five sovereigns, and one Bradbury came in shortly afterwards, and to him Garner also showed the money, and made a communication to each of them, which of course could not be legally received in evidence. He and Bradbury then went to the committee of Mr. Rice and shewed them the sovereigns. In answer to questions put by the learned Judge, he said that he voted for Rice and Pryme at the election in 1832, and for the former at the election in June last. His principles were well known. He had not been canvassed for the Whig party at the recent election, but he had for Knight ; and he told the supporters of the latter that he could not vote for him ; it was against his principles. One of the canvassers said—“ You accommodated Rice and Pryme

before, and you can accommodate us now ; but he still refused. He waited in Rice’s committee-room an hour in order to see some of the members, when he took the sovereigns, and then went to the Britannia to get some refreshment, after which he returned to the committee, and then went and polled. He did not pay for the breakfast. Did not know who did. He supposed the committee, but knew nothing about it. The man named Bradbury, one of the messengers employed by Mr. Rice’s committee, also proved having seen the defendant come in a fly, which stopped at the corner of Sun-street, and his going to Garner’s, his coming out, and returning in a minute or two. Upon his quitting Garner’s the second time, he went into Brown’s, who keeps a glover’s shop two doors off. He also spoke to his (witness’s) having called at Garner’s, and seen five sovereigns immediately after the defendant had left, a fact which Mr. Ison also proved. On cross-examination the witness Bradbury said, he had formerly lived at Norwich, where he was a cabinet-maker, but he had left that city in embarrassed circumstances. Since then he had lived at Cambridge with Mr. Wallis, an organ-builder, and Mr. Hunt, a cabinet-maker, in whose employ he then was. He breakfasted and dined at the Britannia on the first day of the election, and had some ale there several times in the course of the day. A boy named Flindell stated that he was going to Cambridge on the morning in question, and that he got on to the box of the fly at Barnwell, into which the defendant who came out of Aaron Skinner’s house, got. The fly then drove

to the corner of Sun-street, and the defendant went twice into Garner's house, as before mentioned. It was a fly from the Sun Inn: Skinner's house was kept open by Knight's party.

The jury retired, and in five minutes returned with a verdict for the plaintiff—Damages 500*l*.

On the following day, March 20, a similar action was tried, at the instance of the same plaintiff against — Canham, a clerk of a bookseller in Cambridge. An elector, Thompson, deposed that the defendant called upon him in the week preceding the election, and after a few general observations told the latter that he wished him to go and have a glass of ale, and that he wanted him “about something particular.” The witness, who had known the defendant for thirty years, accompanied him to the Pickerell Inn, and on their way thither, the defendant asked him “how he meant to vote?” to which Thompson answered that he should vote for whom he thought proper. They had each a glass of ale, and the defendant then left him, saying he would call again soon. On the day of nomination accordingly he called again, and Thompson's apprentice being in the shop at the time, the defendant threw down sixpence, and desired him to go and get a pot of beer, which he did. During his absence the defendant asked the voter if he had a pen and ink, adding, “Now, I'm going to do something good for you.” There was no ink in the shop, and Thompson went and borrowed some of a neighbour, Mr. Linley, and upon his return the defendant tore a leaf out of his pocket-book, and wrote upon it a note of hand in the following

form:—“I O U seven guineas. For R. C. No. 69.” This he gave to the voter, at the same time telling him that “it was an order for seven guineas.” Thompson asked him, “What is it for?” to which the defendant replied, “It's to vote for Knight; to give Knight a plumper.” Thompson inquired what was the reason the defendant wished him to vote for Knight in particular? and the defendant made no reply to that, but said “I may depend on your voting for Knight?” The defendant promised to call or send for Thompson on the following day, and observed to him, “You'll go down to the poll with the man that will come for you, and when he sees the number of the order, he'll pay you the seven guineas.” The witness took the I O U to Mr. Rice's committee-room, and went on the following morning and voted for that gentleman and Mr. Pryme. Thompson's account was confirmed in several important particulars by his apprentice and by Mr. Linley, who had heard part of the conversation between the parties. The jury found for the plaintiff—Damages, 500*l*.

20. MURDER. LANCASTER.—Norman Welch was indicted for the murder of William Southgate at Liverpool, on 17th October 1834. The deceased was a surveyor of warehouses in the Custom-house at Liverpool. The prisoner had been a locker in the same establishment, but had been reduced to the inferior situation of a weigher in January 1833, by a board order, in consequence of a representation from the deceased that a robbery had taken place in one of the warehouses. The difference of salary was 17*l*. 15*s*. per annum. It was proved that the prisoner had spoken of himself as

having been ill-treated by the deceased in this transaction. On the day before the murder he had been heard to say, "I have been robbed of nearly 20*l.* a-year by Southgate, and we (Southgate and prisoner) have been too long in the service? we shall both resign together; my purpose is fixed, settled, determined. Mr. Southgate and I have been too long in the world together, one of us shall go; I hope we shall both go to heaven together."—A gun-maker proved that, on the 14th October, two days before this, the prisoner came to buy a pistol. A pair of pistols were then produced, and 35*s.* asked for them. Prisoner said, he only wanted one, and for one a guinea was asked. He offered 15*s.*, which was objected to. Prisoner went away and came again on the 16th, and bought the pistol. He also asked for six balls, and seven were made, but only six were given him. He asked how the pistol was to be loaded, and at what distance he might take aim, and was shown how to use it. A person named Fernley came in, and asked prisoner if he wanted to shoot any body. Prisoner said no. Two charges of powder in separate papers were given him, and some percussion caps. He was cautioned not to load the pistol with the cap on, lest he should shoot himself.—Mr. Sike, appointer of wares in the Custom House, deposed as follows:—On the morning of the 17th of October last, about a quarter past ten, I was in the Custom-house yard, speaking to deceased. The prisoner came from the archway leading to the long room into the yard, close by my right side. Deceased was about a yard from me in an opposite direction. He

appeared to apprehend something at the moment—his hand went up, and he stepped back a few paces. I then heard the report of a pistol. I looked towards the prisoner, and saw a pistol in his right hand. I saw the smoke coming from the pistol mouth. After the report the deceased put his right hand to his left breast, and said—"I am shot, I am shot." The prisoner threw down the pistol and said, "There." I went to deceased's assistance—I caught him by the right arm, and with the assistance of James M'Gaffy and Joseph Graham, he walked to the office at the foot of the stairs. I called for a chair, and set him down, and stayed till two medical gentlemen came—Dr. Hanney and Mr. M' Culloch. I saw his remains on the Monday evening following. I saw the prisoner at eight o'clock that morning, but did not speak to him. Six or eight weeks before, I heard the prisoner say—"I am a robbed man—I will make an example of some one." He did not mention any body in particular.--A Custom-house weigher saw the prisoner discharge the pistol, and immediately throw it down at Mr. Southgate's feet. He instantly seized the prisoner, who said, "It is I who have done it: I am a robbed man." The Sergeant of Police who took him to prison asked him, if he had a pistol? He answered "No, I threw it down in the yard when I shot the man;" and to a question, if he was aware of what he had been doing, he replied, "Yes; that he had shot a d—d rogue who had robbed him."—Mr. Dowling, superintendant of the Dock Police, had visited the prisoner on the 18th October, in the Town Bridewell. He appeared perfectly calm, and after being

cautioned that what he said, might be given in evidence against him, said that no other of the officers were in danger from him: that he had gone on purpose to shoot the deceased. At first he said no other person knew of it, but afterwards said, that another weigher knew of his loading the pistol, and strongly dissuaded him from it. He said he purchased the pistol at Patrick's for a guinea, and told them he wanted it to shoot at a mark for a wager. He said he had six balls, and had thrown five away, one at a time, in his way to the Custom-house, for, as he knew he should want but one, it was unnecessary to keep them. After loading the pistol he threw the remainder of the powder down the privy. I told the prisoner that I had sat up with the deceased the night before, who said he had not spoken to prisoner for six months. Prisoner said it was true. I said I had very little hopes of deceased's recovery. Prisoner said, "I hope he won't die, but if he does, he'll go to heaven." Prisoner said, that two years ago deceased had reported him in consequence of thirteen pieces of calico being missed from the warehouse of which he was locker, but of which loss he knew nothing. In consequence of that report his family lost 20% a-year. Subsequently deceased had found him eating his dinner at a warehouse on a cask, and told him that was not a proper place for it. Prisoner said, "Where shall I go to, then?" Deceased said, "Up the entry." Prisoner said, "If I go there, you will report me for being absent from duty." That at other times deceased had said on coming, "Where's that Welch, I don't see him, I suppose he is drunk." Pri-

soner said he had drunk spirits very hard of late, which had kept up a constant excitement in his mind. On his family being mentioned he became much agitated and cried. He was asked if he had, as reported, taken leave of his family on the morning of the 17th. He said he had, as he did not expect to return to them, As we were leaving him, he said "Stop, I'll tell you the worst thing that ever happened to me in my life. When I was quartered in Ireland I got into a row, and was much beaten. I was some time in the hospital, quite out of my mind, and since that, liquor affects me very much." We were with him three quarters of an hour. He exhibited no symptoms of insanity.

In support of the defence of insanity, an officer of the Customs stated, that he had superintended the prisoner at his work on 15th October. He complained of being reported to the superior officers, and seemed a good deal excited. To calm his mind, I gave him leave of absence in the afternoon of that day. I think he used the name of Dunn as having reported him, as I understood recently. On the 16th the prisoner was again appointed to work under me. About twelve o'clock he said, "I have been robbed of nearly 20% and Southgate and myself shall both resign together." He said, with some trifling pauses, "My purpose is fixed, settled, determined." I think he must have had some drink, from his great excitation; but he did not stagger. He was sufficiently sober to perform his duty: he had a wild indescribable appearance, and seemed much excited; that would lead me almost to suppose that he was not of sound

mind, when speaking of the deceased on that particular occasion. At all times he was excited when speaking of Mr. Southgate.—The Collector of Excise deposed that, on the 10th of October, the prisoner seized some logwood, for which he refused to report his reasons. A letter was accordingly addressed to the Board, which, among other things, stated that an out-door officer had reported that the prisoner was considered by him at times to be labouring under aberration of intellect.—Dr. Norris proved that he was an army surgeon in the same regiment as the prisoner, and one night, when on duty in Ireland, seven of the men, of whom the prisoner was one, were assaulted and beaten till they were left senseless. The prisoner received an injury in his head, which might affect his mind, and the more readily when he had taken liquor. This had happened about twenty years ago.—Richard Greetham, who had been a surveyor of warehouses in the Customs at Liverpool, had the prisoner under him for some time in what was called the timber farm, and from his violent acts and behaviour did not think he was at all times sane, and had several times reported him as half a madman. On being called upon for the facts on which he formed his judgment, he gave as instances, the knocking men down with a crow-bar, cutting a man's finger nearly off with a chisel, and on another occasion biting a piece of flesh out of a man's arm. He also had often locked up the timber-yard while carts were in it, brought in the keys, thrown them down, and gone away. Witness had subsequently to go himself and let the carts out.—Lawrence Fagan, employed in the

Customs at Liverpool, thought no man in his sound senses would conduct himself as the prisoner had done. When King George IV. was crowned, all the men had a holiday, and witness being informed that the prisoner had been in the army, placed him at the head of a party as pivot-man. He became exceedingly violent, knocked three or four men down with a club, and was sent away.

Several other witnesses were examined to a similar effect, whose testimony fully established the propensity of the prisoner to acts of great violence and outrageous bursts of passion, frequently excited and inflamed by drinking.

The jury deliberated for a short time, and found the prisoner *Guilty.—Death.*

21. MURDER AND RAPE.—On the evening of Saturday, as a man named Edmund Keoghery, was returning to his home in the parish of Dysart, from the fair of Athlone, he was attacked by a party of ruffians, who murdered him by beating out his brains, and dislocating the vertebræ of the neck, and this, too, in the populous village of Bride's Well, long before the inhabitants had retired to rest. While six of the barbarians were butchering the unfortunate father, two of their party, having dragged away his daughter, violated her person, while the dying screams of the old man were ringing in her ears!

On the following Monday an inquest was held on the body of Keoghery, in the village of Bride's Well. Several witnesses were examined, whose testimony, with the deposition of Ellen Keoghery herself, fully established the crime. She deposed, that when she left a public-house in which she and

her father had been, she was followed by four fellows, named Waldron, Cummins, Frank Moran, Thomas Moran, with others, about twenty perches down the road, when two of the party, one of whom she identified as Edward Curry, seized her and dragged her away in a violent and brutal manner *

* * *; that she screamed for her father, and endeavoured to fly to him, but he was murdered while she was away; she said it was daylight when she saw her father's corpse, but further than that she knew not.

The Jury, after half an hour's deliberation, returned a verdict of "Wilful Murder." The Lord Lieutenant offered a reward of 100*l.* for the discovery of the offenders.

24. LANCASTER.—MURDER OF A CHILD BY ITS FATHER. —John Orrell was indicted for poisoning his daughter Elizabeth, a child of six years of age. Medical men proved that the deceased had been killed with arsenic. It appeared from the evidence of a near relation of the prisoner, that the latter was formerly a farmer on a small farm which kept eight beasts, but, getting into difficulties, his stock was sold up for rent, and he was committed to Lancaster Castle as a prisoner for debt, where he continued from January, 1831, to January, 1834, when he was liberated. The prisoner had a wife and several children, and two had been born to his wife during the time that he was in Lancaster Castle. These, he said, were illegitimate. On coming out of prison he resided a few days at a place called Boroughbridge, near Bolton, when an uncle took a cellar in Bolton for him at a small rent, and

cleaned it out for him as a dwelling. On the 4th of February the prisoner's wife died suddenly, and was buried on the 11th, and on the 17th he went to the place prepared for him at Bolton. On the 22d of the same month his youngest boy, named William, died suddenly, and on the 26th a daughter named Elizabeth, of the age of about eight years. On the evening of the 26th of February, a woman went in and observed the deceased and the prisoner taking tea; they drank out of the same teapot. The little girl was eating toast, and the prisoner some cold bread and butter. She complained of being ill, and had been ill for some days previous with purging and vomiting. On the night of the 26th she grew much worse, and asked this witness for something to drink. The prisoner asked if she would have some gin and water; she said "No, give me some cold water," which was done, and she went to bed, where she complained much of her belly. In the course of the night, or early in the morning, she died.

John Orrell, uncle to the prisoner, deposed to the prisoner coming to live at the cellar on the 17th. Nobody lived with him but the two children. On the night of the 26th prisoner called him up, and said that Elizabeth was dead. He went and found it so. A person was sent for, and the corpse was laid out as usual. Next morning the prisoner went to work. He had but very little employment. He locked the door up when he went out, and took the key. From some suspicion or other circumstance, the constable and boroughreeve of Bolton went to the house on the 27th of February, and not finding anybody there,

broke open the door and entered. The body of the child was lying on a bed; and on a beam, apparently put out of the way, were found a piece of brown paper which had contained what turned out to be arsenic, and another parcel, wrapped first in paper and then in a rag, which contained a considerable quantity of that poison. Before the prisoner went into his dwelling, he (the uncle) had cleaned it thoroughly for him, and had brushed the dust out of the place where the arsenic was found so strongly, that he brushed away a piece of brass, which was produced in court. He was therefore positive that no such paper was there at that time.

Mr. Horrocks, druggist, of Bolton, swore that on the 11th or 12th of February, he could not say which, a man came to his shop and asked for two ounces of white arsenic; he told the man that it was not usual to sell it to a person whom he did not know, unless he brought some other person with him. The man desiring to purchase said, "You see the man at the door, he knows me." Witness went to the door and asked the man if he knew the person at the counter, and was answered in the affirmative. Witness then weighed the arsenic, for which he charged 1½d. an ounce, and wrote upon it with his own hand. He never allowed any person in his shop to sell it but himself. The paper parcel now produced, as having been found at the prisoner's dwelling, was wrapped in the same paper as that which he sold on the 11th or 12th of February, and had his writing upon it, but he could not say that the prisoner was or was not the man who purchased it, or whether he was or was not

the man who stood at his shop-door; nor could he say if there was any connexion between those two persons.

John Hampson.—At the time the prisoner came to Lancaster Castle for debt, was a prisoner for debt. The prisoner occupied the same room with him, and often sent to his wife and friends for money. When he did not speedily receive a reply, he talked most violently against them, and repeatedly swore that if ever he got out of gaol he would be the death of his wife and child, and of his wife's brother, who, he said, kept him in prison, and then he would go to America, where he had got nobody but himself. He said this more than twenty times, probably fifty. He said his wife had been unfaithful, and had had two children whilst he was confined, and they were not his. The deceased was not one of those children, but an older one. Other witnesses spoke to circumstances similar to those deposed to by the last witness, and to the prisoner often having used very violent and threatening language with regard to his wife, his children, and his wife's brother.—The jury found the prisoner guilty, and he was ordered for execution on the 26th. The Judge stated, in passing sentence, that it was difficult not to believe that the prisoner had likewise been the murderer of his wife and son.

28. PARRICIDE. — John Henwood, junior, was indicted for the wilful murder of John Henwood, senior, his father.

From the evidence it appeared that, after breakfast on the 7th of August last, the prisoner was directed by his father to go into the field to work. Shortly afterwards the deceased went on horseback to

the field, and found fault with the prisoner for the manner in which he was doing his work, and told him, if he did not do as he was ordered, he should go away, and do no more work that day. The prisoner replied, that he would not do it otherwise, and called his father a thick-headed fool, adding that he was like a young bear, having all his sorrows to come. The deceased then rode away, and the prisoner shortly afterwards left the field. The mother of the prisoner, who was supported during the time she was giving her evidence, stated that her son came home about half-past 10 that morning. He went up-stairs, and unlocked his box. In that box he kept his gun-powder. He then went out of the house, and she had never seen him after. The father and son did not live on good terms. Her husband was 72 years of age, and her son was 29.

Other witnesses stated that they heard the report of a gun; that they traced footsteps, the right foot pointing out more than the left; and that the prisoner walked in that manner. They found the deceased lying on his face in a lane. On lifting him up he was quite dead. He had been shot in the chest; several of the shot had entered his heart, and had caused his death. The prisoner did not return home that day, but was met in a field near the spot; the next morning he waited till the parties came up to him, when they took him into custody. Several persons then saw the prisoner and said "Oh, John, you've murdered your father." The prisoner said it was a bad job. One person said to him "I should have thought your heart would have failed you." The prisoner

replied, "Yes, it did at first. I put the gun to my shoulder, and took it down again; but something struck me I must do it, and I put my gun to my shoulder again, and it was off in a moment." He told the people where he had put the gun, and they found it in the place he had described.

Several witnesses were called on behalf of the prisoner, who stated that he was of very weak intellect, and that he had a sister who was an idiot; that the boys and girls made game of him and laughed at him. [The prisoner put his hand to his face and laughed.]

The Judge having summed up, the jury retired and remained out of court an hour and a half, during which time the prisoner looked about apparently more unconcerned than any one in court. On the jury coming into court he looked at them with the most intense anxiety, and, on their delivering their verdict of *Guilty*, his countenance fell, and there was the most marked alteration in his appearance. During the time the judge was addressing him he was most dreadfully agitated. He was ordered for execution.

POISONING.—Before the Court of Assizes at Mayence, in Germany, Maria Jaeger, a widow, and servant to S. K. Rentora, also a widow, both about 38 years of age, were accused, the first of having killed by poison eight persons, all of whom except one were her near relations; the latter of having poisoned her husband at the instigation of her servant. According to the indictment, Maria Jaeger poisoned in May, 1825, her uncle; in June, 1826, her mother, 68 years of age; in December, 1830, her father, 70 years old; in August, 1831, her husband; in De-

cember the same year, her three daughters, 2, 5, and 10 years old ; and, lastly, in August, 1833, the husband of her mistress, with her assistance. She had done all this with so much caution, that no suspicion whatever was excited by the deaths of the seven persons, and an investigation into the cause of the death of the eighth victim would perhaps have led to no result; had not the criminal (as it was stated in the indictment) been led by her heated fancy to make a confession—had not, as she avers, a spectre appeared to her which so terrified her that she confessed all the dreadful crimes that she had committed in eight years. The jury, on 27th March, found both prisoners guilty, Maria Jaeger being found guilty of six of the eight charges contained in the indictment. Both of them were condemned to death.

PARTY PROCESSIONS IN IRELAND.—At the Armagh Assizes in March, about 50 or 60 Orangemen, from Markethill, Keady, Newtownhamilton, Tandragee, and Portadown, were indicted for walking in procession, &c., on the 12th of July last. There were also, at the same time, two others, Catholics, indicted for walking in procession on St. Patrick's day. The accused, with the exception of two of the Orangemen, M'Cart and M'Cullough, pleaded guilty. Evidence having been gone into, with respect to the latter, a verdict of *Guilty* was recorded. After some consultation with the counsel for the Crown, the court ruled, that as it was the first offence of this nature charged against those who pleaded guilty, they should only be required to enter into recognizances, to the amount of 50*l.* each, to appear at the next assizes, if called on. The others

being discharged, M'Cart and M'Cullough, on going into the bar, commenced whistling and singing, aloud, the "Protestant Boys," and the "Boyne Water," upon which his Lordship immediately called on the gaoler to confine them; they were sentenced, the next morning, to be imprisoned three weeks each at hard labour.

At Down Assizes eight persons were arraigned for walking in an Orange procession at Dromore on the 12th of July. They all submitted, and after an admonition from the Bench, they were required to enter into recognizances to appear at the next assizes. It was intimated that they would not be called up for judgment, if they refrained from such processions in future.

At the Londonderry assizes, nine young men of respectable appearance, belonging to the class called "apprentice boys," were indicted for unlawfully assembling and walking in procession on the 18th of December. They were found guilty of a misdemeanour. The Chief Baron expressed regret at seeing persons in their condition of life continuing to violate the law. If he had any assurance that they would not do so again, he would make the punishment extremely light. But his Lordship considered the case a very peculiar one. Their celebration was a local matter; and the struggle of their ancestors, which they had commemorated, was the most glorious in the annals of any country. There certainly was much in extenuation, but the law must be obeyed: exceptions could not be made. The counsel for the traversers, assured the Court that they were sorry to find they had really violated the law, and that

they would not again so transgress. The Chief Baron then sentenced the traversers to be imprisoned until the following Monday. A number of Orangemen subsequently pleaded guilty to an indictment charging them with having been engaged in party processions at Maghera and other places in the county of Londonderry. The learned Judge, after telling them that the best mode by which they could display their loyalty was by obedience to the laws, sentenced those who had pleaded guilty on a former occasion to a week's imprisonment, and allowed the others to stand out on their own recognizances.

APRIL.

2. WINCHESTER.—THE KING *v.* THE BISHOP OF WINCHESTER AND OTHERS.—This was an indictment preferred at the sessions and removed into the upper court against the Bishop of Winchester, Henry Goss, a magistrate of the county, the Rev. Mr. Percival, the Rev. Mr. James, and the Rev. Mr. Pollen, William Lumley, an innkeeper, Edward Lipscombe, his waiter, and others, for an assault upon the Rev. Cornelius Griffin.

The alleged assault was for turning the prosecutor out of a meeting for the south-eastern division of the county of Surrey of the Society for the Propagation of the Gospel in Foreign Parts, held at the Spread Eagle Inn, Epsom, on the 21st of October last, when the Bishop of Winchester was in the chair.

The Rev. Cornelius Griffin.—Had been ordained as a priest by the Archbishop of Canterbury, whilst Bishop of London. Had corresponded with the defendant on many occasions, and knew him,

and had been at his house in St. James's-square. Attended the meeting. When he first went, there were about twenty ladies, and five or six gentlemen. The number gradually increased, and in about half an hour the bishop came; a number of clergymen followed, and the room then was pretty full. The bishop took his seat, and requested the company to join in prayer for the success of the undertaking. The prayer was made by the bishop, all standing. Witness was on the second bench. Thought the bishop must have seen him. Mr. Percival afterwards read the report of the proceedings of the society, and Archdeacon Hoare moved that the report be printed. Witness then rose to address the meeting, but the bishop told him to wait until the motion was seconded, and a gentleman seconded it. Witness, then rose to move an amendment, and begged to say a few words in explanation. The bishop inquired his name. Witness told him his name, and that he was a clergyman of the Church of England, and added that there was a gentleman there, Mr. James, who knew him very well. The bishop said, "Here is a man who calls himself Cornelius Griffin, and says he is a clergyman of the Church of England, of which I have some doubt, but he must not be heard, for he is come here to create a riot." Witness attempted to speak, asserting his right as a man, as a clergyman, and as an Englishman, and also as having been in the service of the society, and that he wished to speak something on his own knowledge. When he again attempted to address the meeting, the bishop rose and said, "I cannot suffer you to speak, for you are no subscriber; this is a meeting of the

subscribers and friends of the society, it is not to be made an arena for public discussion, as it would prove of great inconvenience." The bishop had alluded, in his address to the meeting, to the withdrawing of 16,000*l.* a-year. Witness had presented a memorial to Parliament, and had given evidence on the subject. Witness persisted in his attempts to address the meeting. The bishop told him it could not be allowed. He complained that the bishop had represented him to the meeting as an impostor and a disorderly person. The bishop had said that he did not know him. Witness again endeavoured to speak. The bishop called upon the meeting not to hear him, and told two persons to do something. Witness was close to Archdeacon Hoare, who appeared desirous to act as a friend, and said, "If you will let me see the papers, it will enable me to judge if it is proper that they should be placed before the meeting." Witness did not hand the papers, because the bishop, who was between them, waved his hand to separate them. The defendant Goss came up and laid his hand upon witness, and said that he should turn him out of the room, by his authority as a magistrate, unless he desisted. The defendant Pollen first laid hands upon him, and then withdrew them. Mr. Wilberforce then spoke for a long time. Witness had walked fourteen miles that day. He sat on the edge of the table, not with any view of behaving uncivilly to the bishop, but for the purpose of whispering Archdeacon Hoare, but the bishop jogged the archdeacon by the elbow, and said "Have nothing to do with him," and other persons

cried out "order." Archdeacon Hoare drew back, and that put an end to the conversation. When Mr. Wilberforce sat down, witness again presented himself to afford explanation. Goss came up and laid hold of him the second time, and said "I will turn you out of the room, unless you remain quiet without speaking." Immediately a man approached in a very violent manner, took hold of his (witness's) collar with both his hands, said he was the landlord, and that witness should not remain a moment longer in the house. The bishop beckoned to them, and desired them to turn witness out. A person dressed in the bishop's livery also took hold of witness, who was pressed on by several other persons. Witness was resolved to maintain his ground, if he could; he made a passive resistance. His trousers were torn in several places. They put him out of the room. Witness then requested them to leave him. "No, no," said the fellows, "we have not done with you yet." Lumley accompanied him all the way, and thrust him into the street. His hat was thrown after him. Lipscomb, the beadle, had an enormous red waistcoat on; he told witness he should never come there again, he would take care of that. He, with Lumley, had hold of witness when he was thrust out.

Cross-examined.—Witness was ordained for the colonies. He had been a missionary of the society for Nova Scotia and Prince Edward's Island. He had been deprived of his salary. He never circulated a handbill (which Mr. Thesiger handed up to him), but had given away two or three copies of it. He saw one of them in the bishop's hand. The bishop

did say "He (witness) is come to create a riot. As to his saying he has been a missionary or a member of the Church of England, I very much doubt it, for no man who is a clergyman would put this into a bill;" and the bishop then read a portion of the handbill accusing the society of endeavouring to extract money under false pretences. Witness requested the bishop to read out the whole of the bill, but he would not. The question might have been put more than once to the meeting that witness might speak, but witness thought it was put only once. Witness did not admit that he was not a member of the society, because he considered that the society had a great sum belonging to him, and therefore that he was a compulsory member. Mr. Goss might have said, that as he was no member, he had no right to address the society. Witness did not endeavour to interrupt Mr. Wilberforce. He might at first, but not after he had commenced his speech. He never said he had instituted the prosecution to kick up a bit of a row. They owed him 100/.

John Sands stated that he lived at Epsom, and attended the meeting on the 21st of October last. Some one addressed the meeting; after that Mr. Griffin, the prosecutor, got up to speak. The bishop of Winchester was in the chair. Griffin spoke for a minute or so, but he was opposed directly by a general buzz in the room. He did not speak; at last he was laid violent hands upon, and turned out of the room. Witness knew only two of the persons who turned him out—Lipscombe the beadle, and Lumley, the master of the inn. The bishop spoke two or three times. While this was

going on, all was bustle, nobody could hear what was said. Witness was a subscriber. The meeting was publicly known by printed bills. Witness did not follow the prosecutor when he was turned out, He did not see a great deal of it.

Cross-examined.—Nor did he hear a great deal. It was an annual meeting of the committee for the district. The bishop spoke first. There was a motion made, did not know by whom. It was seconded. Griffin got up to speak, when nobody was speaking. Did not know whether the bishop asked if Griffin was a member, or whether he was the author of a placard. Saw the bishop hold the placard. It was put to the meeting whether Griffin, who was not a subscriber, should be heard. There was a very great majority against him. No hand was held up for his being heard. Could not tell whether it was twice put to the meeting. He saw the prosecutor after that sitting upon the table, with his back to the bishop; who was seated at the head of the table. Mr. Lindsay spoke next. He could not tell if the prosecutor interrupted him, but the prosecutor endeavoured again and again to address the meeting. He saw Lumley, the landlord, go up to him, but not before Lipscombe had gone to him.

Robert Shirly, the waiter.—The bell was rung violently. He went into the room. Defendant Lumley joined him. There was a very great disturbance. The servant of the bishop had his hands upon the prosecutor, whose clothes were torn. He was agitated and staggered. Another witness, who was on the outside of the house, saw that the prosecutor was forced down a steep landing-place, and

heard the defendant Lipscombe, the beadle, call him a rascal. William Darling, bookseller at Epsom. — Was at the meeting. He thought no more violence was used than was necessary.

Lord Denman charged the jury that the violence had been brought upon the prosecutor by his own improper conduct: he had no right to go to the meeting to convert it to debates of his own raising, when the party assembled were not disposed to listen to him; but his Lordship thought that after he had been removed from the room, the landlord should have said "You must leave my house," and then that he ought to have left him free to do it, and the landlord should not have taken the law into his own hands. The same observation applied to Lipscombe. If, however, the jury thought that the defendant had been so violent, that to keep the peace in the room, it was absolutely necessary to turn the prosecutor out of the house, for that otherwise he would again have obtruded into the room, then upon that ground the expulsion from the house might be justified: but it appeared to his lordship that when they had got him out of the room, they had done all that was necessary.

The jury deliberated about two minutes, and then found a verdict for all the defendants.

2. MURDER, — WARWICK. William Dollman, aged 29, Nathaniel Hedge, 21, and John Gough, 15, were indicted for the wilful murder of William Painter, near Birmingham, on the 16th of February last. The daughter of the deceased proved that he had gone out well on the day in question, and was brought home about eight in the evening, so much injured that

he died on the 19th. There was a large black mark on the fore part of the throat, and one of the jaws was fractured and twisted.

The principal witness was an accomplice, William Knowles, who deposed that on the evening of the 16th of February last, witness and the three prisoners met by appointment, and went out together to pick pockets. They first went to the theatre, and were going to the gallery-door, but on seeing one of the police there, with his red-collared coat on, they did not venture up, but turned away. He thought the officer saw them, but he did not know his name. They then went to the theatre of arts, but seeing Hall, one of the street-keepers, they withdrew from there. They then walked about the streets for some time, looking out for an opportunity of plunder, when Mr. Painter passed by them, and turned off towards the church-yard. Gough said—"There is a nice old fellow, let us follow him." They accordingly went after him, but in consequence of meeting two persons, they had to cross to the other side of the church-yard in order to come up with him. They then pursued him until they had reached a retired place by a high wall, behind the stables for Dee's Royal Hotel, when the deceased stopped for a particular purpose. Whilst he was standing there with his face towards the wall, Dollman went up to him, and aimed a blow of his fist at the right side of his head. He missed his aim, and fell on his hands in some muck, which was in heaps near the wall. The deceased turned round and said "What do you do that for?" On which Dollman gave him a blow with his fist on the left side of the head, and knocked him

down. Hedge and Gough then fell on the deceased, who pushed them off and struggled with them for some time. Witness had been appointed to watch, and give the alarm if any person should come in sight: and was, therefore, about 10 or 20 yards distant all the time. On observing a man about three yards from him, he gave the alarm to his companions, and they all ran away. They soon returned, and witness, who was sent forward to observe, saw Mr. Painter creeping on his hands and knees along the wall. After doing so for a little time, he got upon his legs and walked feebly away. They followed him to see where he would go. He turned up a court, drew out his handkerchief, buttoned up his clothes, and rubbed the dirt off with his handkerchief. Witness was sent by his companions to observe him, and he passed up and down by him in the court. By means of the gas-light, he could observe blood on his face. The deceased left the court, and went to a public-house at the end of the street. Witness, Dollman, and Gough, then went back to the wall to try if the deceased had dropped any thing there, but they found nothing. Hedge was not then with them. Gough said that Hedge must have the old——'s watch, or he must have dropped it, as his fob pocket was turned inside out. They soon afterwards met Hedge, and asked him about it. Hedge said he had taken the watch and left it at a house which he named; he added, that it was with difficulty he had taken it, for he had turned the old——over three times before he was able to take it from him. Dollman said, "D—n the old——, I have put my elbow almost out by the blow

I gave him." They then went to a low public-house. After having something to drink, they agreed that Hedge and witness should go in the morning to Walsall to sell the watch and divide the price of it amongst them. They accordingly met in the morning, but instead of going to Walsall they endeavoured to sell the watch at Birmingham, by the assistance of a man named Jones, and another man of the name of Griffiths. After going to different places (which witness described) for this purpose, and making several attempts, they at last agreed to sell it for 25s. Griffiths took possession of the watch for that purpose, but ran off with it. Witness went to Dollman and told him so, but Dollman replied "Dont keep bothering me about your watch; what have I to do with it?" This was at the public-house, and other persons were there, one of whom was Henry Hart, who was convicted at these assizes of another crime. The watch was disposed of at length to a silver-smith named Cramer, but no money was got for it. There were two seals attached to the watch by a riband. Dollman took them off, and threw the riband away. They agreed to sell the seals to Jones for 1s. and a dog. Witness had before this offered Jones 1s. for a puppy dog, and Jones was now to have the seals by giving 1s. and the dog, he forgiving the 1s. which witness was to pay for the dog.

The witness underwent a long cross-examination in the course of which he stated that he was promised, and he expected a free pardon for himself, if he told the whole truth; but before that, he had mentioned the principal facts to the gaoler at Birmingham, where he was taken on suspicion, and

before the inquest on Mr. Painter was closed. There was a proclamation then read to him by Redfern, offering pardon and a reward to any one who should give information of the murder; and Redfern told witness, that if he told the whole truth, he should have the pardon. He now gave his evidence under the influence of that hope. He knew the blow given by Dollman was with his clinched fist, notwithstanding the distance at which witness stood, because a blow from the open hand could not have knocked the man down so. Upon other points of the case the witness was also cross-examined, but persisted in the accuracy of his statement.

William Hall, the street-keeper, who was at the door of the theatre of arts on the night in question; Samuel Jones, a constable, who was at the gallery door of the playhouse in a red-collared coat; Cramer, the silversmith, to whom the watch was tendered for sale, and who suspected it to be Mr. Painter's watch, and gave information to the police, which led to the apprehension of the prisoners; and Benjamin Jones, who had had several meetings with Knowles for the purpose of disposing of the watch, were severally called, and deposed to those respective facts, in corroboration of Knowles's evidence. Between the testimony of Benjamin Jones and that of Knowles there were one or two trifling discrepancies. Jones had been convicted of felony, and was well acquainted with Knowles, Dollman, and Gough, but he did not know Hedge so well. Henry Hart, a prisoner, convicted at these assizes of uttering counterfeit coin, but not yet sentenced, was called to speak to the negotiations of Knowles

for the sale of the watch. He said he did not believe the prisoners were present, nor did he see the seals with anybody but Knowles.

One or two witnesses were also examined in corroboration of some of the minor facts detailed by Knowles. The surgeons proved that the death of the deceased was occasioned by the injuries inflicted on the jaw and neck.—The jury found all the three prisoners guilty, and they were ordered for execution.

2. INNKEEPERS—MONMOUTH. *The King, v. Thomas Tims.* This was a very unusual indictment. It charged the defendant, an innkeeper at Chepstow, with a misdemeanor, in refusing to receive the prosecutor and his horse into his inn, and to give them refreshment. It appeared that the prosecutor, Mr. Williams, who was clerk to an attorney, arrived at Chepstow late at night on Sunday, the 13th of April, in last year. He applied at the defendant's inn, and the defendant and his wife refused to admit him. The inn was shut up, and they were in their bedroom, but had not extinguished their light, and they held a long conversation with him. He could not obtain admission at any other inn, and was obliged to leave the town, and went two miles before he could obtain shelter. Mr. Justice Coleridge told the jury that this was an indictable offence, and if they believed the witness, was fully proved. The jury deliberated for two hours, and then returned a verdict of *Guilty*. Mr. Justice Park sentenced him to pay a fine of 1*l.*, saying that an innkeeper was bound to receive a wayfaring man even in the night, if he had accommodation.

3. MURDER. TAUNTON.—Wil-

liam Howe, aged 19, and John Hoare, aged 19, were indicted for the wilful murder of John Harvey, on the 6th of March. The body of the deceased had been found on the road between Curry-Revel and Lungport, between 10 and 11 at night. He was dead, with marks of violent blows on the left ear and the chin. His pockets had been rifled. His horse and cart were standing beside him, and his hat was lying at some distance. A woman who lived near the spot where the body was found stated, that, about half-past ten on that night, she heard what she considered groans coming from the road. They soon ceased: she then heard voices, and shortly afterwards a splash in the pond close to the house. Having mentioned this circumstance next day, on hearing of the murder, the pond was searched, and a soldering iron was found in it. A workman of the deceased identified the iron as having belonged to the latter, with whom Hoare was an apprentice, and by whom the other prisoner, Howe, had been employed till within a week of his death. He had seen Hoare using the iron on the Thursday preceding the murder. He heard some one come into the shop on the Friday evening and rattle the tools, and he believed that person to be Hoare. On the Saturday that iron was missing, and Hoare asked him on the Saturday if the iron had been found. Witness said "No." Between 3 and 4 o'clock on Sunday afternoon, Hoare asked him again if the iron had been found. Witness said, "No." Hoare said it was a mysterious thing. Witness said, he had no doubt the murder was committed with that iron. Hoare said, he had no right to make a bother about it. It was

proved that the two prisoners were in company on the evening of the murder: that four sovereigns were seen that afternoon in possession of the deceased; that Hoare, on being taken into custody, pointed out a spot in his father's garden where two sovereigns and a silver spoon would be found concealed, and that the spoons and sovereigns were accordingly found there. The officer who apprehended them stated that Howe said they would find a sovereign under the foot of the bed in the room in which he slept, and that he had received it from Hoare. Witness searched and found the sovereign in the spot Howe had pointed out. Hoare sent to him to say he had a disclosure to make. Immediately he went to him, a message was brought to him that Howe was confessing. Witness instantly went to him, and he wrote down what he said. He then sent for the magistrate, and it was read over to the prisoner, and he said it was true. The following morning the witness took down a disclosure made by Hoare. The confessions were then read. Howe in his confession stated that Hoare wanted him to go with him and meet Mr. Harvey, but he refused. Hoare told him the next morning that if he (Howe) had not been so long they might have done what they had been talking of. They then found out that their master was gone to Curry. They went together, and had two quarts of gin and beer. Howe went and asked if Mr. Harvey was come home. He then took the glazing-iron, and they went down the hill. Hoare said, "You hold the horse." He (Howe) answered, "I shall not have heart to do so." Hoare replied, "Never mind, I shall do for him." They waited

and heard Mr. Harvey coming up the hill. Hoare went to meet him, and then called to Howe. Hoare got up into the cart and said to Mr. Harvey, "Master, I am come to meet you." Mr. Harvey said "What is it o'clock then;" but before the words were out of his mouth, Hoare struck him with the iron, and he fell out on the mare's back. As soon as he was struck he (Howe) ran up the field; he stopped and called to Hoare, but he did not answer him. He then went straight to the cart. Hoare said, "I am blood all over." Hoare knelt down and searched Harvey's pockets again, and then took the iron and began to bang away at his head again. He (Howe) said, "Don't Jack, I can't bear it." They then went away, and threw the iron into the pond, and Hoare washed himself in a ditch.

Hoare in his confession said, that he had committed the murder, but that he was induced by Howe to do it. He hoped God would forgive him. They were convicted and ordered for execution on the 6th of April.

4. DECEPTION PRACTISED ON INDIANS—Sir Augustus D'Este appeared at the Mansion House, accompanied by the chief of the Chippewa nation, for the purpose of verifying before the Lord Mayor a statement drawn up with a view of being submitted to the Secretary of the Colonies. The following is a copy of the paper which was handed to his Lordship:—

"Statement taken from the mouth of the Indian Chief.

"I am the son of Muc Coonce, the principal chief of the Chippewa nation. My father was one of those chiefs who by treaty ceded a vast tract of country to the King of England. I have my fa-

ther's copy of that treaty. I have succeeded to my father, and I am now the principal chief of the Chippewa nation. By the white men I am known as Muc Coonce, my father was so called; my red brothers call me Hesh-ton-a-quet, which in English is the Serene Cloudless Canopy of Heaven. Five of my early years were passed under the instructions of Gabriel Richard, a French Catholic Priest; I was baptised by him; I then returned to my father's house; I remained with my father for four winters; I had now become a warrior and I joined those of our father the King of England; I travelled with the English from Malden to Burlington, and I remained with them two years, until peace was made between them and the Americans; I fought with them at Fort Niagara, Black Rock, and Buffaloe. About seven moons ago, when the leaves were becoming brown, and were falling, I was at home in my wigwam, when one day Du Nord (the interpreter) came to me and told me that a white man wished to speak to me; it was Bogue; he told me that at Detroit there was one who had been sent over by the King of England who was desirous of seeing me, and that I must bring with me six men and two women of my people, as such was the wish of our father the King of England. I told him to return to me in a week, and that I would then give him my answer. In the mean time I assembled many of the chiefs of my tribes, and communicated to them the message which I had received from our great father the King. After due deliberation, it was agreed that I should go. At the end of the week Bogue returned to my house; I told him that I was ready to accompany him. We proceeded to Detroit. At Detroit, for the first time, I saw Whitely; I said to Whitely, 'What do you want with me? Whitely replied, 'Has not Bogue told you what I want?' I said 'Yes;—has he told me right?' Whitely then explained to me that our great father the King of England was old—that his hair was grey, and that he wished to shake me by the hand before he died. I said to Whitely, 'The passage to so distant a country will cost much money, and I have not enough for it.' Whitely said, 'Don't think about money, your great father the King, who wishes to see you, has filled my pockets with money to pay all expenses,

and has given me orders at Buffaloe, to buy the best of clothes for you, and at New York to furnish you with many silver ornaments, that you may make a good appearance in the Indian fashion when, presented to your father the King.' We left Detroit and went to Buffaloe; arrived there, I claimed the fulfilment of the first part of the promise; Whitely said to me, 'There is a neighbouring town through which we shall pass; I will there procure the clothes which have been promised.' Arrived at the said town, I again asked for the promised clothing; Whitely said, 'Have patience until we get to New York—there both my promises shall be fulfilled.' We arrived at New York; I again claimed the fulfilment of the promises; Whitely put off their fulfilment from day to day. At New York he offered me some dressed skins; I rejected them, because clothes of good cloth had been promised to me. We remained a fortnight at New York, where, upon many and various pretences, by deceit I was induced to appear with my party upon the stage of a theatre. It was at New York that my brother, who was one of our party, determined upon leaving us, to return home. He said to me, Whitely, I am sure, is a bad man, and I am certain he has told you nothing but lies. My brother then drew a picture of the misery and misfortunes we were risking by proceeding. I replied, that before giving my answer to Bogue, I had assembled many of our chiefs together, that my departure had been debated upon and agreed to. I added, that I was now very far upon my road, that my honour was compromised, and that if it cost me my life, I must proceed. My brother left us, and returned home. We left New York, and after a voyage of about twenty-four days we arrived at Liverpool. Upon setting my foot on land, I expressed my wishes that no time should be lost in seeing the King. Whitely gave reasons why I could not see him for some time, adding, in the mean time we must remain here—Whitely persuaded us all to go to the theatre to pass our time, as we should find it very tedious if we always stayed at home; by such means we were induced to attend the theatre, and afterwards to go upon the stage. After some days we went to Manchester; we remained there about six days. We then went to Birmingham; it was there that Whitely told me that the man who

kept our money had run away, and taken all of it with him—his name was Sutton. He said, 'Never mind, in the town where the King lives I have plenty of money, in the bank, and I will not run away. The same night Whitely himself ran off. The next morning Du Nord (the interpreter) told me that Whitely was gone to London to get money, and would return in two days. The two days passed away, and Whitely did not return. The master of the public-house where we lodged came to me at the end of two days, and gave me four shillings, and said he could no longer afford us shelter. We left the house, and for hours wandered amongst the streets. From one person our interpreter received two shillings to procure wherewithal to eat, my wife, myself, my sister, and all my men were a considerable portion of two nights in the streets, without roof to shelter us; during this time it rained much, and my wife was in bad health. Mr. Gale, a gentleman who had come to England in the same ship which brought us from New York, came to Birmingham to ascertain our condition: he found us in our forlorn and wretched state; he kindly supplied our wants, and brought us to London, where he made for me the engagement with Mr. Glossop, which prevented our starving from hunger. I had not been in London more than two weeks when I was bereaved of my beloved wife.* My heart had scarcely recovered from this grief when my own nephew died,† again I drank of the waters of sorrow, but much of them remained in the cup. A few days after another of my companions died; he has left a widow and five little ones behind him. When I return to my country, what shall I say when they ask me for him?—who is to hunt for their food?—who is to cultivate the ground for their support.—My heart was wrung by these many afflictions.—At length I began somewhat to recover from them, when I was accused of a bad offence—it was said that I had laid hands on a young maid.‡ Red men kill their enemies, but they do not seek to injure a maiden of tender years. My breast con-

* *Vide Chronicle* (Jan. p. 7.)

† *Vide Chronicle* (Feb. p. 23.)

‡ The chief had been tried on a charge of this kind and acquitted.

tracted, and I could hardly breathe. The wounds of my heart were again opened, and bled; but I held my head up, my eyes met the eyes of other men without fear, as the Great Spirit, who sees into all hearts, knows that I am innocent."

The Lord Mayor asked whether any person could confirm the truth of the statement?—The interpreter declared that he knew the facts to be as had been written down. The Indian Chief was anxious to swear to the truth of every tittle. The Lord Mayor—It is a very singular document; but I am averse to the practice of swearing voluntary affidavits of such a nature. I am sure that it will be considered sufficient at the Colonial Office that the chief when applied to will swear to the truth of the statement. Sir Augustus D'Este said he believed the affidavit was required at the Colonial Office. It appeared that the credulity of the chief had been most cruelly practised upon. The Lord Mayor desired that in the event of the affidavit being considered indispensable, the chief should call upon him again.

16. EXPLOSION OF A POWDER MILL.—Between seven and eight in the morning, the corning-house of Ramhurst powder-mills, near Tunbridge town, blew up with an explosion that was felt for miles round the spot: two men lost their lives. The body of one of the sufferers was found a considerable distance off, greatly mutilated, and life quite extinct. The other was discovered in a similar state, but suffering great torture, from which death relieved him in a short time. The cause of the catastrophe could not be ascertained, as the above two individuals were the only persons then

employed in that department of the mills. There had been three explosions at the same mills in seven years, and all of them had happened in April.

22. AN INFANT BURIED ALIVE BY ITS MOTHER.—An inquest was held at Kilfin on a female infant by Mr. M'Gillycuddy, coroner. It appeared by the evidence of a boy about 9 years old, that a woman who was previously committed to gaol, (the mother of the deceased), had the day before, buried the child alive in Kilfin churchyard. The child was at the time crying, and witness asked the woman why she buried it when alive? To which she replied, that it would soon be dead whether or not, and therefore it made no difference. The boy became alarmed, went home and communicated the circumstance to his father and others, who proceeded to the place, where they found the child dead. Another boy proved that he met this woman on the road near the church, that she had a child at the time in her arms, and the child was crying. Dr. O'Connor, who accompanied the coroner from this town, opened the body, and after a minute examination, said he found no marks about it which would justify him in saying that the child came by its death by violence. The jury then, on the evidence of the boys, found that the "deceased came by her death in consequence of being buried alive."

25. IRISH POLITICAL PRIESTS.—At the Carlow Quarter Sessions, Thomas Kehoe, James Kehoe, and Patrick Cody, were indicted for having been concerned in a riot in the chapel-yard of Borris on the 1st of February, and with having committed an assault on Edmund Mul-

ligan, a freeholder who had voted for Messrs. Bruen and Kavanagh, the conservative candidates for the county, against the repeal candidates. Richard Kelly, a sub-constable, deposed, I was at Borris Chapel on 1st February, and saw Mulligan there. From the gallery I was in a rush made at Mulligan into the opposite one; in order to protect him I went round, and saw about fifty men dragging him off the gallery, after which they commenced pelting him with mud, stones, and gravel; saw one of the leaders was Patrick Cody, the prisoner at the bar; with the assistance of a few of Mr. Kavanagh's men I succeeded in rescuing him from the mob. I was also kicked and bruised while protecting him. Saw the two Kehoes also aiding and assisting. Heard the priest say, that "there were many persons in the chapel who voted for Mr. Kavanagh and Colonel Bruen, and he thought if the people threw mud at them, pushed, hooted, or threw gravel at them, no law could be taken of them." (Great sensation.) I heard the priest also say at the commencement of mass that the people should be quiet until mass was over.

Court.—Which of the priests made use of the above language?

Witness. — The Rev. John Walsh sen., the parish priest.— James Roche examined.—Was at Borris chapel on the 1st of February, and saw Mulligan dragged out of the gallery by a mob, and knocked down and pelted with gravel and mud; went to protect him with a few others, but were surrounded by a great crowd, who dragged them about; he received a blow of a stone in bringing Mul-

ligan through the chapel gate; Thomas Kehoe was there, and collared.

John Neil examined.—Was at chapel on that day, and saw a crowd rush out of the chapel and go up to the gallery and drag Mulligan off and beat and kick him; Mulligan's face was covered with mud; saw James Kehoe there shouting and acting as leader.

Pat Holden, sub - constable, sworn.—Was at chapel on that day. Saw Mulligan in the gallery at the last gospel. Heard a great noise in the chapel, and saw Mulligan pointed at, and people say he ought to be dragged out of the chapel as a Brunswick Catholic, who voted for Mr. Kavanagh; heard the priest say that no noise should be made until mass was over; saw Mulligan then dragged out, beaten, and knocked down on his hands and knees; he was then pelted with stones, mud, and gravel; witness and his friends went to Mulligan's protection, and succeeded in saving him from the fury of the mob; saw the prisoner James Kehoe very active as one of the rioters.

The Court charged the jury, and recapitulated the evidence, after which the jury retired, and returned a verdict of *guilty* against Cody; but as they could not agree in their verdict respecting the other prisoners, the jury was discharged, and the parties bound over to stand their trials at the next sessions.—*Dublin Evening Mail*.

30. FIRE.—A fire broke out in a baker's in the City Road, by which two women were burned to death. On the Coroner's inquest, the occupier stated that one of the females, Ann Golding, was his niece, and acted as his shop-wo-

man; the other, a girl named Ann Wright, had been with him as a servant for about a week before the accident. On the alarm of fire, he had jumped out of bed, and opened his bed-room window, which was a back room on the first floor, and then discovered a quantity of smoke. "I opened," said he, "the door, and found the passage so full of smoke, that I could scarcely respire. I opened the front-room door, and with difficulty reached the window, which I opened, and found relief from the air. I then returned back to the passage, and called out to the females to save themselves by getting out of the trap-door at the top of the house. I was unable to proceed up stairs on account of the smoke, and could not descend, as at this time the whole of the lower part of the house was in flames. On my return to the dining-room, I got out in the balcony, and then heard the witness Bowden call out to me, but I was scarcely able to reply to him, as I was nearly suffocated with the quantity of smoke that had entered my stomach; a ladder was placed by the police against the balcony, by which I descended into the street. One of the females slept in the second floor, the other in the garret, and sometimes they slept together." A journeyman, who made his escape by climbing on the roof, stated, that while doing so, he heard violent screams from the upper part of the house where the two females slept, but did not see either of them. The bodies were dug out of the ruins so mutilated as to be scarcely recognizable, the limbs being consumed, and the trunks and heads a black undistinguishable mass.

MAY.

7. LAW OF MARRIAGE.—*Archers Court.*—*Tongue v. Allen or Tongue.* This was an appeal from the Consistory Court of London, in a suit of nullity of marriage by reason of undue publication of bans, promoted by Mr. Edward Tongue, father of Mr. Edward Croxall Tongue, one of the parties, a minor, against Mrs. Mary Ann Allen, widow, otherwise, Tongue, the other party. It appeared that Mr. E. C. Tongue had been placed by his father at a school near Bristol, kept by Mr. Atchison; that Mrs. Allen, who was the sister of Mr. Atchison, superintended this establishment as housekeeper; that in February, 1833, bans were published in the parish church of St. Michael, Bristol, as between Edward Tongue, bachelor, and Mary Ann Allen, spinster; and that, under this undue publication, Mr. Edward Croxall Tongue, then aged seventeen or eighteen, and Mrs. Allen, aged thirty-four or thirty-five, were married, the former signing his name in the bans-book as "Edward Tongue." The parties, after the marriage, returned to the school, and the fact was not known to Mr. Tongue, sen., till his son came home at the Christmas vacation, ten months after, when he took immediate steps to nullify the marriage. The Judge of the Consistory Court had refused to pronounce a sentence of nullity, considering that the fact of pre-knowledge of and consent to the undue publication of bans by both parties, required to invalidate a marriage, under the statute 4 George IV., c. 76, s. 22, had not been sufficiently proved. Sir Herbert Jen-

ner now gave sentence in the appeal. After recapitulating the facts, and remarking that the Christian name of Mr. Tongue, which had been omitted, was proved to have been that by which he was commonly called and known, the learned Judge proceeded to observe, that the question was, whether, under the existing marriage law, this marriage, which would no doubt have been invalid under the act of the 26th of George II., was good and valid. Lord Stowell had held, that all the Christian names borne by a person constituted but one in law, and where one of such names was omitted in the publication of bans intentionally, and with a fraudulent design, it was quite sufficient to render the marriage invalid. According to the former law, the knowledge of both parties of an undue publication, was not necessary, for if either party had notice of an undue publication, the marriage was void. The law as it then stood led to cases of extreme hardship, not only to the parties themselves, but to their issue; and it was the experience of these inconveniences which induced the Legislature to alter the law; for he concurred with the Lord Chief Justice Denman, in "The King against the Inhabitants of Roxton," that the alteration was advisedly made. The alteration of the law which affected the present case was the 22nd. section of the act 4 George IV., c. 76, which provided that "if any persons should knowingly and wilfully intermarry without due publication of bans, such marriage should be null and void to all intents and purposes whatsoever." The mere fact of undue publication of bans was therefore not

sufficient, as the law now stood, to invalidate a marriage; both parties must have had a previous knowledge of such undue publication. This had been determined to be the construction of the act, not only in the Consistory Court and this court, but in the Court of King's Bench, and was apparent from the use of the plural number, "persons," in the statute. The questions, therefore, for the Court to consider were three—1st, whether there had been a marriage; 2nd, whether there had been an undue publication of bans; 3rd, whether both parties were cognizant of such undue publication previous to the marriage. Of the fact of marriage there could be no doubt whatever; there could be as little doubt that there had been an undue publication of bans, because it was clear that the object of both parties was concealment of the marriage from Mr. Tongue, the father, and they succeeded in concealing it from him for nearly a twelve-month. The two first requisites were therefore beyond all doubt established. With respect to the third point, in all these cases the nature of the proof must vary according to the circumstances of each. It never could have been the intention of the Legislature that direct and positive proof should be required, in all cases, of the knowledge of both parties, particularly in a case where a father was one of the parties proceeding in vindication of his rights who was entirely ignorant of the transaction, and utterly incapable of producing direct positive evidence of preconcert between the parties. There was no reason why knowledge should not be inferred from the conduct and

proceedings of the parties, as in other cases, such as that of receiving stolen goods, where the inference might be rebutted, and, if not rebutted, afforded a sufficient ground upon which knowledge might be presumed. Of the clandestine nature of the marriage there could be no doubt, or that Mrs. Allen was cognizant of the undue publication of the bans, as she wrote the instructions for their publication. But it had been contended that there was no direct proof of preconcert between the parties, or of that article in the libel which alleged that the fraudulent publication was at the instigation and solicitation of Mrs. Allen. The Court, however, must see whether, in the absence of direct and positive proof, there was not a presumption so strong as, if not rebutted by contradictory facts, was sufficient to satisfy the mind of the Court. Now both the parties were living in the same house, they were in daily communication with each other, and it was extremely difficult to presume, if both parties were actuated by the same desire of concealing the transaction from the father, that there would not be frequent conversations between them on the subject of the marriage, and of the manner in which it was to be carried into effect without the knowledge of the father. Independently of this circumstance, the conduct of the parties at the time of and after the marriage was material. At the time of the marriage, the name of Edward only was used, and the party answered without hesitation to the name of Edward, expressing no surprise. After the marriage, the parties retired into the vestry-room, where Mr. Tongue signed

the entry-book with the name of Edward alone. These circumstances, in conjunction with others, went strongly to corroborate the presumption of knowledge and preconcert. But there was very strong additional evidence to the same point. The sextoness of the parish, the only person present at the marriage, had proved that the minister's practice was, to make the parties examine the bans-book prior to the ceremony to see if the entry was right, and that she was sure that both parties inspected the book and acknowledged the entry to be correct. She could not speak to this particular instance, but she deposed that the practice was universal, and it was more likely to have been done on that occasion, because she herself was struck by the youthful appearance of the bridegroom. Mrs. Allen might have contradicted this statement, if she thought fit, even after publication. If this statement of the sextoness were correct, the Court could have no difficulty in pronouncing the marriage null and void; but even without this circumstance, considering the other facts adverted to, taken in conjunction with the conduct of the parties at and after the marriage, which reflected back on their prior proceedings, and where the whole transaction was of so unfavourable a complexion, the Court would have felt perfectly justified in pronouncing this marriage null and void, under the present law, as having been contracted knowingly and wilfully by both parties without due publication of bans. Three cases had been adverted to in the argument for the purpose of showing what proof was required to render a marriage inva-

lid on the ground of undue publication of bans under the new Marriage Act. The first was that of "Wiltshire and Prince," 1. Haggard, which was a suit by the father of a minor who had married a servant of the family under wrong names. Both parties were clearly cognizant, and the marriage was pronounced invalid. This case was important as it was the first in which the Consistory Court put a construction upon the act, but nothing was said as to the nature of the proof required. The next case was "The King against the Inhabitants of Roxton," 4. Barnewall and Adolphus, 640. That was a question sent to the Court of King's Bench from the Quarter Sessions, in which the facts were assumed by the court, which gave its opinion on the dry question of law. But the case principally relied upon, as applicable to the present, was that of "Hadley v. Reynolds," which had not been published. It had been there argued that in these cases the strictest degree of proof was required, and that the maxim of law, which the learned Judge particularly urged in that case, was *semper presumitur pro matrimonio*. Mr. Hadley was a clergyman at Worcester, aged 27 or 28, and the woman 22, who was in service at Worcester, and he himself pleaded that he had caused the bans to be published in false names for the purpose of concealing the marriage from his father, though the father had no legal right to interfere, the party not being a minor. There was no evidence that the woman knew of the false publication; it was her interest that the marriage should have been good. This, therefore, was a case of a party coming

to the court, avowing his own fraud to set aside a marriage which had subsisted for three or four years, and after the birth of a child, and in which the rights of a third party had not been affected. There never was a case in which the presumption of law was stronger against a party so coming into court to take advantage of a fraud which he avowed he had himself committed; and that was a case in which the court might well urge the maxim *semper presumitur pro matrimonio*. The case was distinguished in all its parts from the present case, and under all the circumstances he had no doubt in his own mind, though differing from the learned Judge in the court below, that he was bound to pronounce in favour of the appeal to retain the principal cause, and to declare the marriage in this case null and void to all intents and purposes whatsoever.

11. STEAM BOILER EXPLOSION.—On the afternoon of the 11th, two steam boilers exploded in a large sugar manufactory, Vauxhall-road, Liverpool. Such was the force of the explosion, that it carried away the whole roof of the building, and blew down the newly-erected chimney, which fell upon a house in Maguire-street, occupied by Mr. Acton, his wife, and servant, carrying with it the roof, floors, furniture, bedding, &c., to the bottom rooms. In one of these Mr. Acton was sitting with his wife and a friend, who had just called upon him. Men were immediately set to work to release them, and succeeded in getting out Mr. Acton, who had sprung to the door on the first alarm. He was protected by a beam which fell against the cheek of the door. Mrs. Acton also had

left the situation she was standing in, and got to the back wall of the house, and owing to this saved her life. The joist of the floor, in its descent, caught some furniture, which kept it from jamming her head against the wall; when found, (and she was not discovered until great exertions had been made), she was sitting with her spectacles on, and comparatively unhurt, although greatly exhausted. The visitor, who was also in the ruins, had got close to the fire-place, and the accumulated weight of the roof, flooring, furniture, bricks, &c., had fallen upon him and pressed dreadfully on his head and chest. He was bent nearly double. On his being extricated, Mr. Sigley, the surgeon, pronounced that he breathed, but on being taken into the nearest public-house, he almost immediately expired.

When the explosion took place, and the building and chimney were both overthrown, a considerable part of the roof and walls of the engine-house fell directly down, crushing both the engineers to death, and at the same time killing a labourer. A woman in the next house had a most providential escape. She was sitting with an infant in her arms in the room when the explosion took place, and, hearing a great noise, she went into the passage to see what was the matter. In an instant the ruins burst through the roof and filled the room she had just quitted. She escaped with her child without the least injury.

The cause of the accident was the trial of a new boiler, which, being of insufficient strength, exploded from its inability to bear the pressure of the steam with

which it was charged. Immediately after the first explosion, a second took place of the old boiler, occasioned by the concussion and by the falling materials heaped upon it by the first shock. The report was not very loud, although the explosion carried away the roof of the building, and threw the furnace bars to a great length in the air.

SEDITIONOUS PLACARDS.—On the 11th of May a public dinner was given to Sir Robert Peel, at Merchant Tailors' Hall, London, on his retirement from office. In the forenoon a man was brought before the Lord Mayor, charged with sticking up in the city the following placard:—"Poor men—Take notice! A dinner to Peel will be given by the rump of the Pitt and plunder faction, assisted by the self-elected and corrupt Courts of Assistants of the grocers, tailors, goldsmiths, and skimmers, 7 City aldermen, 7 poverty-stricken peers, 29 defeated candidates, 5 bishops, a bloated buffoon, the idiot, and a Mayor, on Monday next, May 11th. Dinner on table at Merchant Tailors' Hall at 5 o'clock precisely. The expenses to be defrayed out of the funds left for charitable purposes. Kemp, printer, &c., Broadway." The officer who apprehended him said, that the defendant had first put up a number of ordinary auction bills, and did not put up this one, till he thought nobody was observing him. In his pocket was found another placard, as follows:—"Murder of Perceval by Bellingham. Sir Robert Peel and the Tories will celebrate the anniversary of the above important event by a dinner, at Merchant Tailors' Hall, Threadneedle-street, on Monday next, May 11th. Din-

ner on table at 6 o'clock precisely. Tickets to be had at the Hall. Jenkins, printer, Hill-street." The defendant said he had been employed by another bill-sticker; that he had put them up merely in the way of business, and that he had always considered that the printer's name authorized the publication. Lord Mayor—You could not have thought any such thing. You know very well that nothing whatever can sanction the publication of such matter as this. If a riot were the consequence of such agency upon your part, and blood were shed, what dreadful responsibility would attach to you. In that second placard there is an inducement to commit murder, by pointing mischievously at an event which all must deplore. You, as agent to some iniquitous person, have been guilty of a very great offence. It is false that the printer's name is attached. There is no such person as the printer named in the posted placard. I suppose you expected that the result of your labours would be that 10,000 men would come into the city at the time of the dinner, and create a disturbance? The defendant was ordered to find bail. Immediately afterwards another bill-sticker was brought up on a similar charge, who stated that 300 of the bills had been sent to him, with orders to post them, and being an uneducated man he had no idea that he was doing anything wrong in obeying the directions.

The Lord Mayor—Do you know that you have been posting bills to incite people to commit murder? The defendant solemnly declared that he was quite innocent of any knowledge of mischievous consequences. He assured his Lordship that, if set at liberty, he

should immediately go forth and destroy or deface every placard he had posted.

The Lord Mayor took his word.

ESCAPE OF SIX CONVICTS.—

The keeper of Ilchester gaol, his son, and two guards, were conducting, on the 11th, 14 convicts in a van to Portsmouth to be placed on board a convict ship. When they arrived near Southampton, they were surprised to see 6 of the convicts running across the fields without their irons. The guards had not the slightest reason to suspect that the convicts intended to make an attempt at escape. The convicts were immediately pursued, and three of them were secured, but the other three succeeded in getting clear off. Upon examination, it appeared that the prisoners had sawed off their irons. After having got rid of their irons, they proceeded to cut a hole through the bottom of the van, it is supposed by means of watch-spring saws. The convicts dropped through this hole on the ground, and let the van pass over them, and then made their way to the fields. The difficulties they had to contend with were very great, and proved their plans must have been very systematically arranged. All the convicts were desperate characters, and were under a sentence of transportation for life. The three men, who escaped, had been convicted of an extensive robbery at a pawnbroker's shop in Bath. One of them had succeeded once before in escaping from the custody of the gaoler of Bow-street, whilst he was conveying him to Tothill-fields prison in a coach previous to his being sent for trial. It was suspected that the irons had been partially sawn off, whilst they were

in prison, and that instruments had been, by some means, conveyed to them for this purpose.

12. THEFT OF JEWELLERY.—*Central Criminal Court May 13.*—William Hall, aged 38, and Martha Handcox, aged 41, were indicted for stealing in the dwelling-house of Mrs. Charlotte Collins five necklaces, two diamond ornaments, two brooches, several pairs of bracelets, precious stones and jewels, value 3,000*l.*, her property.

The prosecutrix, a lady, residing in Manchester-square, stated that the prisoners were in her service, Hall as Butler, and Handcox as lady's maid; the latter had lived with her 17 years. On the 29th of March she went out about half-past 5 o'clock, and on her return went to bed at 11. About 3 o'clock in the morning the prisoner Handcox came into her room and said, "Madam, there is somebody in the house," and begged of her not to be frightened. She answered "For God's sake, what shall we do?" an alarm was given, and the police called, and from what transpired she discharged both the prisoners on the same day. Another servant named Sumpter was not discharged until a week after. She never suspected Sumpter, or charged her with the robbery, but talked with her on the subject, when she said, if she had done it, she would have confessed it. Hall was taken into custody about a fortnight afterwards. He could have no business in her bed-room, where the jewels were kept. Witness had no reason to believe that Sumpter was drunk when the robbery was committed.

The son of the last witness, stated the particulars of the alarm of thieves, which the prisoner

Handcox had made. He found a window in the lower drawing-room open; that window was about 12 feet above a sky-light of which it commanded a view. A shawl was hanging out of the window, which he drew in. The prisoner Hall was in the passage in his shirt. The police were knocking at the door at the time, and were immediately let in. The female prisoner then accompanied them to search the house; marks of a chisel were seen on the door of the dressing-room, and on the drawers in which the jewels were kept.

Cross-examined by Mr. Phillips. —Sumpter gave no information for a week after the robbery was committed, but her confession was voluntary. Handcox might have escaped before being taken into custody, if she had been so disposed. A police-constable deposed that he was called into the house on the night of the robbery. He met Handcox on entering the house, who exclaimed, "Oh, policeman, we have had robbers in the house: follow me, and I will show you what has been done." Witness followed. (The witness here described the condition of the premises.) Handcox pointed out to his notice two desks which had been broken open and some parcels of pictures, which were apparently packed up for removal, and produced a chisel. Witness asked her to show him where the prisoners had entered, and she immediately pointed out a window on the stairs. At the back of the house there was a high spiked iron railing, which it would not be possible for any person to climb. On examining the marks on the door, it appeared to have been chipped, but there was not any appearance

of forcible entry. From these appearances, witness expressed his belief that the robbery had not been committed from without. Handcox appeared much distressed, and exhibited every mark of regret, and Hall rendered every necessary assistance.

Mary Sumpter, who had been committed by the magistrates to secure her testimony, stated she was cook in the service of Mrs. Collins in the month of March. About a fortnight before the robbery she entered into conversation with the prisoners respecting the numerous robberies of jewels which had recently taken place, which led to the topic of the worth of Mrs. Collins's jewels, and the best means to carry them off. They agreed to divide them equally, and it was arranged to take place on the 28th or 29th of March. Handcox was to remove the jewels from the drawer and give them to Hall, who was to dispose of them. This was done accordingly, while their mistress was out. She and Handcox opened the drawer and wrapped the jewels in two separate papers and took them to Hall, who was waiting in the parlour to receive them. On receiving them, Hall said, "Now I have got you both, and will do for you." Hall went out at 6 o'clock on the same day, desiring witness to wait till he came back, when he said, "Thank God! they are gone." The empty jewel box was placed under Mrs. Collins's bed. The other servants were then sent out under frivolous pretences, and during their absence the box was burnt. Some time after Mrs. Collins retired to bed Handcox gave the preconcerted alarm, as described by the former witnesses. Witness subsequently described to

Mrs. Collins the manner in which the robbery had been committed.

Cross-examined. Witness expected a share of the proceeds of the robbery, but got none. Did not feel disappointed, and did not give the information on that account, but because she was conscious of committing a bad act. No intimacy existed between her and Hall. She repented what she had done the moment the robbery was committed. Does not know why she did not acquaint her mistress with the intended robbery. Did not feel any remorse or regret during the time occupied by the alarm given by Handcox. The booty was to have been equally divided. Had no vindictive feeling against the prisoners. (The witness underwent a long examination to elicit that an improper intimacy existed between her and the prisoner Hall, but she positively denied it.)

An inspector of police, deposed to apprehending the prisoners, and to finding in a box at Handcox's lodgings 17 sovereigns, and some bracelets and other articles of jewellery. On Hall he found 8/. Another witness produced a box which was given to him by the prisoner Hall to take care of. It contained 173 sovereigns. A policeman, deposed to a conversation which he overheard between the two prisoners at the police station, when Hall said to Handcox, "I have given you 12 sovereigns." Handcox answered, "You did," and Hall told her to confess all about it. The footman of the prosecutrix, the coachman, and the chambermaid, deposed to having been sent out on various errands by the prisoner Hall on the night of the robbery. The coachman produced some pieces of the

jewel-box, which he had found in the coal-hole, and identified the chisels found as having been formerly in the possession of Hall. The prisoners said nothing in their defence, but about a dozen persons were examined by their counsel, who gave them a good character.

The Jury, after a few minutes' deliberation, returned a verdict of *guilty* against both the prisoners. The learned Judge entirely coincided in the verdict. The punishment did not rest with him, but according to the law only one could be inflicted, and that the most severe short of death.

15. MURDER. — *Central Criminal Court.* — Patrick Carroll, aged 32, a Corporal of Marines, was indicted for the wilful murder of Elizabeth Browning at Woolwich, on the 27th April. A lodger at the Britannia Public House, Woolwich, of which the deceased was landlady, deposed that, on the day in question, she saw the prisoner, who seemed to be perfectly sober, in the House. He asked for a pint of beer, which the deceased refused to serve. He then said, he wished to speak to the deceased, but she would not converse with him. He repeated his request, and she replied that she would not speak to any such brute for calling her what he did on the previous night. He then pushed the deceased into the inner bar, and following her, shut the door. As witness was turning from the bar, she heard Mrs. Browning say "Don't begin to ill-use me." Mrs. Browning's mother was with them. About ten minutes afterwards, witness heard a scream, and ran into the inner-room, where she saw Mrs. Browning's face covered with blood, and the prisoner was stab-

bing her in the side with his bayonet, which was in the sheath when he went into the room. The deceased's mother was endeavouring to protect her from the blows of the prisoner, and in doing so received a wound in the thumb. Witness went for assistance, and was absent about 10 minutes. On her return, Mrs. Browning was dead. The prisoner was still there, and said he had stabbed Mrs. Browning, and meant to do it. The prisoner had drunk nothing in the House after 11 o'clock the preceding night, Sunday; but on that evening, he seemed wild and frantic. On the Sunday afternoon a gentleman took tea with the deceased and her mother, and the prisoner was not invited. He was in the parlour, and on learning who was at tea, he said he would pay the deceased for it. The prisoner and the deceased quarrelled a great deal on the Sunday night, and the prisoner said he would do for her. Mrs. Browning sent for a watchman twice, but on the first occasion he was quiet, and Mrs. Browning begged the watchman to leave him there. After he was gone, the prisoner repeated his abuse, and a lodger in the House, who was a constable, removed him about 3 o'clock in the morning. When he said he would "do for her," he was in his "usual fury." There was a number of persons present. The prisoner was always at the House when off duty. — The mother of the deceased stated, that on the Sunday, a person drank tea with her and her daughter. The prisoner was at the house, but was not asked to join the tea party. The bar was locked up about 11 o'clock. On Monday morning, she was sitting in the

inner bar, with her daughter. The prisoner came into the house, and then into the inner bar, and struck her daughter three times on the side of the head with his fist. Before that she ordered him out of the bar. The deceased fell across the chair from the effect of the blows, and never spoke any more.

By the COURT.—She appeared stunned with the blows. The prisoner went a few paces backwards, and drew his bayonet, and stabbed her through the side with it more than twice. Witness attempted to shield her daughter, and in doing so was wounded in her thumb. Her daughter never spoke after the prisoner struck her with his fist. Witness called for assistance, and Blake and Owens came in. The daughter never attempted to strike the prisoner, or in any way provoked him. The prisoner was not more intimate in the house than any other. Did not know the prisoner was partial to her daughter. The house was closed at the proper hour on the Sunday night, but the prisoner remained there. The prisoner struck the deceased immediately on entering the room, and directly afterwards drew his bayonet and stabbed her. On the night before the deceased had threatened to report him. Did not hear the prisoner say, that he would sooner she would run him through with his bayonet than report him.

William Owens saw the prisoner at the Britannia on Sunday. He was very abusive to the deceased. Witness went to the barracks, at the request of the deceased, for a watchman to take the prisoner away, but she afterwards allowed him to remain until

3 o'clock. Witness saw him next morning; he was quite sober. The witness then described the alarm, as related by the first witness, and said he went to get assistance, and on his return, the prisoner stabbed at him, but he parried his thrust, and seized him by the arms, while the mother of the deceased took the bayonet away. The prisoner was very furious, and seemed to be labouring under great excitement.

The policeman who took the prisoner into custody, stated that the latter said instantly, "I am the man who stabbed Mrs. Brown-ing." He afterwards added, "It is a bad job, I know my doom." The witness produced the bayonet, which was stained with blood.

Henry Parkin, surgeon in the Royal Marines, found five wounds on the body, two of which were flesh wounds above the breast. There was another wound below the breast, which passed completely down to the liver. The shape of the wound corresponded with the bayonet now produced. That was a mortal wound, and there was also another mortal wound under the arm which penetrated the lungs. The fifth wound was a slight one on the arm.

The foreman of the jury, after a few minutes' deliberation, said he was requested by one of his brother jurymen to ask whether if the deceased died in consequence of the first blow, the law would apply differently to the case?—

Mr. Justice PARK.—It would, if it were not so laid in the indictment. The murder is alleged to have been committed by a deadly weapon, but you must take the whole case. There were mortal wounds inflicted by the bayonet,

but there is no evidence that she died from the blow of the fist, but only that she was stunned.

After another consultation for about five minutes, the jury returned a verdict of *Guilty*.

The foreman of the jury read a paper, signed by himself and colleagues, to the following effect:—“The jury beg to express their strong opinion of the impropriety of soldiers being allowed to carry their side arms when off duty. The prisoner was ordered for execution on the following Monday.

DEATH BY LIGHTNING.—An inquest was held at Lambeth on the body of Charles Stanhope, a boy of 14 years of age, who was struck dead by the lightning during a storm which occurred in the afternoon of Friday the 15th. The deceased was a day-scholar at Mr. Penn's boarding and day school, in Walcot-place. The lightning had struck him under the right ear; and completely discoloured his face, neck, shoulders, and chest, and singed the hair off his head. The staircase at the bottom of which the deceased stood, was shattered and burnt in several places. The assistant in the school stated, that, when the storm came on, he was in an upper school-room, where upwards of thirty young gentlemen, had just finished their dinner, and were about to say grace. At this time the deceased and another lesser boy were standing at the bottom of the stairs which led from the play-ground and lower school-room into the upper school-room. The deceased, who was a day-scholar, had been home to dinner, and had just returned. The deceased and the little boy had been playing together, while

the other boys were at dinner, and had taken shelter in the door-way from the rain, which was then coming down very fast; the door was open.” From the situation in which I sat in the upper room, by inclining my head, I could see down the stairs. I saw a flash of lightning, and heard a report louder than anything I had ever heard before. A dreadful shock was felt in the room, and, after looking round, I turned my eyes towards the stairs, and saw a volume of smoke ascending the staircase, as if there had been an explosion of gunpowder. I then looked down and saw the deceased lying on his back, at the foot of the stairs. I ran down stairs, and raised him from the floor, and held him up in the manner which appeared to me the best. Deceased was then quite warm, but did not appear to me to breathe. One of the boarders came down stairs with me, and ran without his hat immediately for the surgeon, who arrived within five minutes. I continued to hold the deceased in an erect position until the surgeon arrived. I believe the deceased was quite dead at the time I raised him up. In raising him up I saw the right side of his neck, which was discoloured.”

Robert Lemmon, about 7 years of age, the boy who had been along with the deceased, said, “I was playing with master Stanhope (the deceased) in the play-ground, when it began to rain. We both took shelter in the door-way, and looked at the rain: I stood on the same door by his side. I do not recollect his falling down, but I heard the thunder.”

The surgeon stated, that he had found the deceased still warm, but he had ceased to breathe. On ex-

amining him, he found the hair on the right side of the head singed ; there was also a discoloration of the skin on the right side of the face, neck, shoulders, and breast. The cause of that appearance was his having been struck with the electric fluid, which had produced extravasation of blood. The witness applied the most powerful stimulants, and endeavoured to re-animate him, but without effect. The power of life appeared to have been instantaneously extinguished by the force of the electric shock.

16. GUNPOWDER EXPLOSION. —the City of Munich, the capital of Bavaria, was thrown into consternation by the blowing up of the powder magazine situated at the distance of about half a league to the west of the city, with the whole stock of bombs, grenades, Congreve rockets, and 300 barrels of powder. The houses, even in the remotest parts of the city, were shaken, the rooms were filled with dust, and from the pressure of the atmosphere, not only were the windows broken and the fragments of glass scattered into the furthest corners of the rooms, wounding whomsoever they struck, but in many houses the window-frames were shattered, the doors forced from the locks and hinges, and many persons in the streets thrown down. The site of the misfortune resembled at the first moment the crater of a volcano ; amid the columns of flame and the smoke of the powder appeared masses of stones, beams, and implements of the building, which were scattered in innumerable fragments, and were dispersed to a great distance in the surrounding fields. Immediately afterwards a dense yellowish smoke arose

from the scene of destruction, and was driven by the wind towards the city, and the bursting of some shells and bombs continued for a few minutes. Profound silence then ensued in that quarter. Scarcely was the explosion over when the streets were filled with crowds of people, who were hastening to the spot to see the effects of the dreadful event ; everywhere were gendarmes, officers in full gallop, lines of carriages, and bodies of troops. In a moment, as it were, the whole eminence, on which the magazine had stood, was covered, as far as the eye could reach, with a dense crowd. On the whole road the houses bore marks of the destructive accident ; beyond the city were stones scattered far and wide, scorched timber, intermixed with cannon-balls, fragments of clothes, and a lamentable spectacle — the mangled and blackened limbs of the persons who had been at work in the magazine, torn into innumerable pieces. Six persons perished. The master of the works had just before sent a seventh away on an errand, and he thereby escaped. He states that there was no appearance of fire or any danger when he left. Next day it was ascertained that the destruction of the powder-magazine was the result of a deliberate plan. There was found in the knapsack of an artilleryman named Schmidt, who perished, a letter to his commanding officer, in which he declared that the ill-treatment he received from the subaltern officers had made him resolve to put an end to his life by blowing up the magazine. He had formerly been a student.

16. FRAUDS ON THE REVENUE LAWS. — *Court of Exchequer.* The

Attorney-General v. Atlee and others. This information, containing twenty-seven counts, was filed against Messrs. Atlee, Son, Young, and Bainbridge, distillers at Wandsworth. The Solicitor-General stated the case. The information was filed in consequence of a systematic and long continued series of frauds committed at the defendants' distillery. To make the matter intelligible it would be necessary to explain the process of distillation. In the first process, the malt or grain was bruised and mixed in hot water, which extracted the saccharine matter, and it became wort or worts. This was of course thicker than the water, it was collected into vats, where yeast was put to it, and it then began to ferment. That process attenuated the liquor so as to make it a very little thicker than water, and of no greater specific gravity: it was then called wash. The next process was to place the wash under the wash still, and then distillation commenced—that is, by the application of heat a vapour arose into a tube passing over it, which tube was kept cold by water on the outside, and the steam gradually formed into fluid, and descended into a vessel prepared to receive it. This liquor was then called low wines, and was a spirit, but very weak. The low wines were collected into a receiver, and then came the third process. The first was fermentation; the second, distillation of the wash; and the third was distillation of the low wines, which was subjecting the low wines to the same operation that the wash had undergone, another application of heat producing the vapour and fluid, which then was called spirits, and

VOL. LXXVII.

was to be brought into market by the distiller, who, parting with the spirit in that form, was to pay the duty which the legislature had thought fit to impose of 7s. 6d. a-gallon. If no fraud were practised, it would be quite sufficient if the Government could secure all the spirit that came from the low wines. As to the strength, the legislature had fixed a given degree of strength, to which all spirits were to be brought to lay the duty on. If he (the Solicitor-General) had distilled 100 gallons at proof point, he would have to pay 100 times 7s. 6d. for duty; if he had distilled it stronger than proof, he would have to pay more; if less than proof, he would have then to pay less. In all this process there were doors open to endless frauds. It was impossible for the Excise officers to be present during all the operations to prevent fraud, but many cautious provisions had been framed by the legislature, such as that the receiver, into which the spirit was to flow, should be a vessel closed by a lock, of which the Excise kept the key; that there should be no access to the receiver, except by a worm communicating with the still; that there should be a hole with a plate on it, by which the Excise officer might introduce a rod; that when the spirit was collected into the receiver, the dealer should give notice before it was removed, at which time the Excise officers were to attend and ascertain the quantity of spirit by a dipping-rod, and the strength of it by an hydrometer, and not until after that was done might the distiller convey it into his storehouse, which he did by a pump communicating with a fixed tube that goes into the receiver. The legis-

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lature also provided that there should be between the receiver and the tube a stop-cock, of which the Excise officer should have the only key, but as it was necessary that the distiller should see how the still was working, he was permitted to have a sample cock to turn off small quantities to see how the process was going on. It was also made illegal to remove any part of the spirits from the receiver before all the duties were paid; but the officers had at all times the liberty of taking an account of the distiller's stock, and they always did so before the distillation period began. The evaporation of the spirit was very great, particularly in the hot time of the year, and it was owing to that circumstance that government was prevented from knowing precisely what spirits had not paid duty. The fraud committed by the defendants related to the loss occasioned by the evaporation. Prior to the taking of the stock, previous to the distillation, they resorted to this contrivance. Suppose 500 gallons was lost by evaporation; they say "We will deceive the officers, we will make them believe that 250 gallons only were lost, and we will get 250 gallons of spirit into our stock, and we will convey it into our store-room." The first fraud was to make the officers believe that there was more spirit in stock than there was, and this had been done in a most ingenious and laborious manner. Spirit was lighter than water. If brandy were poured very delicately into water, the brandy would remain at top, and the water below. The defendants procured a tube, which they used to sink to the bottom of the tap, and then introduce 250 gallons of

water. They have thus got 750 gallons. The gauger first ascertains the bulk, and then the strength, and to do this he puts his hydrometer into that which is at the top, and ascertains the strength of that part. This plan, it seemed, was systematically pursued by the defendants for three years. The next thing was, how to get the spirits out of the receiver, and to convey it up to the store-room. While the officers were there, some of the workmen used to say, "Let me help you," and then took care to turn the stop-cock the wrong way. In the cock was a square piece of iron which, if turned one way, effectually prevented the spirit going into the tube, but if not so turned it was no prevention at all, and of course when not turned the right way, as soon as the officers were off the premises there would be nothing to prevent the defendants putting on the pump and pumping the spirit from the receiver through the tube into the store-room, and when there all was then safe. These pumps were moved by one series of machinery, put in motion by a water-mill, and as they were always there, it was only necessary to put on the lever in order to work them. Sometimes, however, the officers were vigilant, and the cock was properly locked, and upon those occasions the defendants were obliged to have recourse to the sample cock, by which they could get only very small quantities. On the 1st of September last, in the middle of a distilling period, the officers obtained information that frauds upon the revenue had been practised, and they determined to try to get into the distillery whilst they were going on. The dis-

tillery was situated on the south bank of the Thames, and the elder Mr. Atlee resided at the house there. It was a dark night, and three officers contrived, without being observed, to get into the distillery yard, where they secreted themselves behind a large old steam-boiler, and watched the door of the still-house. Between 11 and 12 o'clock they observed the spirit-pump at work, upon which all three ran across the yard and got into a waggon shed, where they clearly saw that it was the pump at work. They then rushed into the still-house, pushing by a clerk of the name of Phillips, who endeavoured to interpose; but the lever of the pump was out, upon which they ran up into the store-room, and finding the door locked burst it open, but found the door of the inner store-room locked also. They saw, however, a bunch of keys in the store-room, one of which fitted the lock, so that they got into the inner store-room, and immediately ran up the ladder at the top of the store-room and heard the spirits running in. They then opened the vat, and there found the spirit pouring in, in a tolerably rapid stream, whereupon one of the officers fixed a hat at the end of a rod to hold it underneath, but the liquor weighed down the hat, which fell into the spirit, and the same officer then ran to the outer store-room, where he found a can, with which he procured about a pint of the liquor that was still running in, but at a very slow rate, the strength of which he took, and found it to be the same spirit as that which was in the vat. The officers afterwards looked at the stop-cock, and found the excise fastenings upon it, but

the stop was off, so that there was nothing to prevent the spirit being pumped from the receiver through the tube into the store-room. This produced a further investigation, by which it was found that the same plan had been systematically carried on for the last three years. A man of the name of Calthorpe had the custody of the stores. He was the cooper, and he would produce notes showing the exact occasions on which in a number of instances the pump was used during twenty-one periods of distillation. It was also discovered that a cock with an India rubber hose, let down by a weight, had been made, and an alteration effected in the pipe, so that machines were always at hand, and it would be proved that there had been 21 different pumpings out of the receiver in three months. The duty on spirits was charged in the extreme state of the distillation, but the legislature had introduced certain checks, whereby any person conversant with the still might calculate pretty accurately what the quantity of spirits ought to be. The saccharometer applied to the wash would show the quality of the wash, and a given quantity of wash of a given quality ought to produce a given quantity of spirits. Before the first distillation the quantity and quality of the wash were always ascertained, and government might, if less spirit were produced, charge the duty upon the wash. That was done in these cases. It was a matter of frequent occurrence that on some occasions the same quantity of wash used to produce forty or fifty gallons of spirits less than on other occasions, and looking at the excise books and comparing

them with the evidence, the jury would find that to have been the case whenever there was a pumping. The defendants used to send out spirits half a degree stronger than they ought to be, and got credit with their customers by it; but they could well afford to do this, since by their contrivance the revenue had been defrauded to so large an extent. The crown went for penalties to the amount of 7,000*l.*, in addition to the spirits seized which amounted to 6,000*l.*

The evidence proved that practices like those stated had been going on; but it was maintained, that they had been carried on without the knowledge or connivance of any of the defendants, by their manager. Distillation went on best at a temperature of 60°; at 82°, the spirits flew into air; but the manager had often distilled at 72°, and it was only to repair the loss occasioned by his so doing, that he resorted to these practices, of which the defendants were entirely ignorant.

Lord Abinger.—there was no doubt that something of the kind spoken of by the witnesses had been done, but the question was, whether it was brought home to the knowledge of the defendants. The acts were framed to subject the masters, so as to make them careful as to the servants they employed. It struck him that the manager's mode of conducting the distillery was to prevent a loss by evaporation when he was distilling at a high temperature. It was very improper; but the thing might have been done by a distiller to make his master suppose that it was not so great a waste to distil at a high temperature. There was evidence to go to the jury that

Atlee had some knowledge of what was going on.

The Solicitor-general said, in consequence of the intimation of his Lordship, he had agreed to take a general verdict to secure a certain sum, to be arranged between the counsel. However innocent the parties might morally be, it was the duty of the Crown, both to the public and to other distillers, to have filed the information; and with respect to the participation of the parties as to any guilty knowledge, he was perfectly willing to leave it in the hands of the jury.

Mr. Serjeant Spankie.—A penalty would attach to a personal delinquency, which he trusted would not be imputed to the defendants.

Lord Abinger.—I should have been very much disposed to have warned the jury against coming to that conclusion. The evidence was, that Mr. Atlee came occasionally but very seldom, and it was not at all likely he would have been called upon to witness the proceedings of the men, and there was no proof of knowledge by Atlee, junior.

Mr. Erle, for the defendants, Young and Bainbridge, hoped the verdict would be accompanied with a declaration that they had no knowledge whatever of any illegal practices, and took no part in them, and that they were guilty so far only as the fact of being partners would make them guilty.

This arrangement was agreed to, and the jury accordingly found a general verdict for the Crown.

19. MURDER AND SUICIDE.—An inquest was held in Aldermanbury, on the bodies of Samuel Holden, aged 72, and Frances Ann Holden, his wife, aged 42; the former of whom was gravedigger, and the latter sextoness at

St. Mary's church, Aldermanbury. Both of them were found on the same morning, with their throats cut in a dreadful manner, in the vestry-room of the church above-named. The daughter of Mr. Holden deposed, that her father and his wife had gone out that morning about half-past 5 to the church, where some repairs had been going on. They took with them some bread and cheese, and a knife to cut it. About 7 o'clock witness went to the church to assist them in cleaning it out, and, on entering the vestry, found them lying dead, surrounded by a pool of blood. She stated that they had been married only two years, and lived in perfect harmony; but that her father, during the preceding fortnight, had said many strange things, and often expressed an opinion that he should die in a prison. On Saturday last he went out after tea, and would not come back, because he said a man was waiting at his home to take him into custody, which was not true. He suffered great difficulties in consequence of losses accruing from non-payment of rent by his lodgers, and often said he should be unable to meet the demands of his creditors; an action was recently brought against him, and Mrs. Holden sent away a quantity of furniture, which displeased him very much, and was the cause of many quarrels between them. One Sunday, a few weeks ago, he asked the witness for his razor to cut some corns with, which she thought was very strange, as he was in the habit of using his pen-knife for that purpose, so she did not let him have it. His razor had for some time been laid by, as he had not for a long period shaved himself. In the afternoon of the

same day he asked his wife for the razor, and was again refused. —A painter, who had been at work in the belfrey, stated that, on hearing the screams of the daughter, he ran down to the vestry, and found the bodies. A large carving-knife, covered with blood, was lying by the man's left hand. A silk handkerchief, which seemed to have been recently worn round the neck, was hanging over a chair near the bodies. He had seen the deceased in the church the day before, and they seemed then to be on excellent terms with each other. —The surgeon, who had been immediately called, stated: I found the deceased woman lying on her back, and bleeding from a wound in the throat; the man was there also, similarly wounded, by the side of his wife, his head, hands, and knees, resting upon the floor; they were quite dead, but considerable warmth was still remaining in both bodies. On examining the woman I found the wind-pipe cut through to the spinal bone of the neck; the large vessels on the right side of the neck were severed, as I imagine, by only one cut from left to right; the length of the wound was from five to six inches, and the depth an inch and a-half from the front of the neck to the spinal column. I subsequently made an examination of the man's wound, and found that the windpipe was partly cut through, but none of the large vessels of the neck were divided. The wound was three inches in length, and in depth not more than half an inch. I discovered no marks of violence on the bodies. I should imagine the woman had not struggled from the appearance of the pool of blood which surrounded her. I apprehend he inflicted the wound on

himself with the carving-knife found in the vestry-room (a sharp-pointed instrument, which was produced, with the blade and ivory-handle completely covered with blood) while in a kneeling posture. I should say decidedly, from the extent of the wound on the woman's neck, particularly on the right side, that she could not have inflicted it on herself; the large vessels on that side were completely divided, which was not the case with those on the left. I am also of opinion, that the wound was inflicted on the woman about ten minutes before the commission of the suicide. The man, I have every reason to believe, died of exhaustion, occasioned by the loss of blood; and, in all probability, as the wound was not of a very extensive description, his life might have been prolonged, if not saved, had the discovery been made at an earlier period. The woman, I should think, was sitting in the chair close to where she was found lying, and that the man came behind her, seized her by the chin, and having cut her throat, she fell directly to the floor.—The aunt of the deceased woman said, that her niece sometimes seemed very happy, and at others exceedingly miserable. The last time she saw her alive was last Thursday; she was then in great trouble in consequence of her husband having seized upon the goods of one of his lodgers for arrears of rent: he expressed himself sorry for what he had done, and regretted that he had hurt the feelings of his wife by the course he had taken. Witness had lately observed that he had an ill feeling towards his wife, and had often seen him much out of temper, but never seriously thought that he intended to take

her life. About four months ago he ill-used her, and she wanted to come home to the witness. This was in the night-time, but he took away the key of the door, and refused to let her go out. The next day she came to witness broken-hearted, and said that he had threatened to murder her. She told witness, a few weeks before, that he had knocked her down twice.

The jury returned the following verdict:—"We find that Samuel Holden cut the throat of Frances Ann Holden, his wife, and afterwards his own, he being at the time in a state of temporary mental derangement."

27. ELECTION RIOT AT WOLVERHAMPTON.—A vacancy having occurred in the representation of Staffordshire by the elevation of Mr. Littleton to the peerage, Sir F. Goodricke started on the conservative interest, and was successful. Immediately after the close of the poll, on the 27th May, a large crowd of persons of the lowest description assembled in front of the Swan Inn, and commenced hooting and shouting and maltreating any of Sir Francis Goodricke's voters who came in their way. They continued in this state, but increasing in numbers, until nearly 7 o'clock, when their disposition to violence became so manifest, that serious fears were entertained for the safety of the Swan and other houses of Sir F. Goodricke's in the town. The military had been already brought into the town, and applications were made to the high constable and to the magistrates to permit the soldiers to act in dispersing the mob. The high constable refused, not considering himself justified in employing them until the

last extremity. At length many persons in the town became alarmed, lest such a violent assemblage should continue together after dark, and repeated applications were made to the rev. Mr. Clare and other magistrates to take immediate steps to disperse the crowd. The rev. gentleman at length came to the balcony in front of the Swan, where he was received with violent hootings and hissings. He earnestly and repeatedly implored the crowd to separate, and conjured them by all they held dear—by their wives and children, to depart in peace. His appeal was in vain, and he was answered by a discharge of stones, some of which struck him and other gentlemen in the balcony, and others destroyed a couple of squares of glass in the Swan. Mr. Clare again addressed the mob, but with the same effect as before. At length he said that he should do his duty, and that, however reluctantly, he must take steps to put the law in force. He should read the riot act, and he once more warned them of the consequence of not dispersing when required to do so after that act was read. He then read the riot act, and the military, who were already in attendance, received orders to clear the market-place. The dragoons immediately dashed in amongst the crowd, calling on them to disperse, and striking with the flats of their swords all such as showed any disposition to refuse obedience. The people set up a tremendous hooting and hissing, and commenced pelting the soldiers with stones; many of them got into the church-yard, where they formed a sort of barricade where the horsemen could not come at them, and from be-

hind which they pelted the troops without intermission. They even came to closer quarters, and the horse of a dragoon was killed by a stab from a sharp instrument. The military were at last compelled to fire in self-defence. No person was killed, but four or five received gun-shot wounds in the legs and arms. Some of the soldiers had been severely injured. So violent was the conduct of the people, that they collected stones wherever they could be found, and forming themselves in groups, in places where the cavalry could not ride at them, they pelted them unmercifully whenever any appeared. In one street (Queen-street) they formed a barricade by tying some carts together, and here also they were violent in their pelting. The firing dispersed the mob; but the crowd assembled again on the following day. It was found necessary again to read the riot act, and call out the military to disperse the crowd, which they did by riding in amongst them, but without offering any violence. The people went off in different directions without offering any resistance, except that two muskets were fired at the troops by persons who escaped detection. The troops continued to parade the streets till between one and two o'clock, but the populace had retired long before. The town continued quiet till the evening of the 29th, when groups began again to assemble in the market-place. The riot act was again read, and the troops called out; but it was not found necessary to do more than parade them dismounted, when the crowds separated. The Radicals and Reformers having raised loud clamours representing the military as having been

called in without necessity, and having fired, without reason, on peaceful citizens, government sent down from London the police magistrate, Sir F. Roe, to inquire into the occurrences. His report having been received, lord John Russell the Home Secretary, declared in the House of Commons, that the military had acted with exemplary propriety, forbearance, and discretion.

JUNE.

3. THUNDER STORM.—On Wednesday the 3rd, Manchester and its neighbourhood were visited by a violent thunder-storm, coming from the west, which commenced about 1 o'clock, and lasted till nearly 3. A person named Richard Shuttleworth was returning from Longsight towards Manchester about 2 o'clock, when the violence of the storm was greatest. When he was on the footpath, about 100 yards beyond the Shakspeare Inn, opposite the House of Mr. Powell, in Ardwick-place, an umbrella, which he carried over his head, was apparently enveloped in flame, and in an instant afterwards he dropped upon the footpath. He was conveyed to the Shakspeare Inn, where a surgeon promptly attended him, and tried to bleed him in the jugular vein; but he was quite dead. On examining his person and dress, some appearances presented themselves, which, coupled with other facts that were observed, seem to show that the electric fluid, in this case, as in some others, proceeded not from the clouds, but from the earth. Just at the moment when Shuttleworth was killed, several persons who happened to be in the neighbourhood witnessed explosions of electric fluid at different points on

the road, just as if so many pistols had been fired out of the ground. One of these explosions appeared to have taken place under Shuttleworth's right foot. Round the heel of the shoe was a row of strong nails, which seemed to have conducted into the shoe a larger quantity of the electric fluid than could be transmitted upwards by any conducting substance which presented itself; and the shoe-heel had been torn asunder along the line of nails, whilst the upper-leather had been torn out at the side. The left shoe did not exhibit any mark of injury; so that there had either been no communication of electric fluid from the earth to it, or it had been only in such quantity as could be conducted upwards. The stocking on the right leg was much burnt, and a long gaiter which he wore was torn open in various places. His drawers, flannel waistcoat, and several other articles of dress were much singed, and his shirt and cotton neckcloth set on fire, and they were burning when he was lifted from the ground. His person, from the right foot up to the head, exhibited strong marks of being scorched, and his whiskers and eyebrows were burnt off. His hat was burnt outwards on each side of the head, but the crown was entire. The umbrella, which he was carrying over his head at the time, exhibited very unequivocal marks of the direction in which the electric fluid had moved. On one side it was perforated by a number of small holes, as if a charge of small shot had been fired through it from the inside, the fibres of the cotton showing very clearly in which direction the perforations had been made. Several bits of metal in the inside of

the umbrella had been melted, and others discoloured by the electric fluid; but the brass tip or ferule on the end of the stick, which, if the progress of the lightning had been from the clouds to the earth, might be expected to receive its full force, was evidently untouched. The lightning likewise struck into a row of six small houses in Hulme. In one of them an old woman, who was washing clothes in an earthenware pan, felt a severe blow on the head, as if from a brick-bat, which threw her down on the floor, where she remained for some time in a state of insensibility. On recovering herself, she found that the pan had been struck with such force as to hurl it from the block on which it was placed upon the floor, where it was broken to pieces. The occupants of the next house were out at work; but, on their return home in the evening, they found the plaster torn off the walls in several places, a quantity of soot precipitated down the chimney, and evident traces of the course taken by the lightning in the cellar chimney. In the third house, a woman, who was sitting near the window with a little boy, was thrown upon her knees on the floor, and for some time was unable to rise. On recovering herself she found that her left hand was deprived of its muscular power, and that the finger nails were quite black. She recovered the use of the hand, although it remained numb, by bathing it in hot water. At the time when she was hurled down, her little boy cried out, "Oh, my foot!" and as soon as she was able to examine it, she found one of his feet of a purplish colour, somewhat resembling the discolouration produced on the skin by exploded gunpowder. In a room in the

same house, a cane, enclosing a dirk, was split up into strips. In the sixth house of the row, a woman, who was washing near the window, was struck on the head, so as to throw her forward. In the same house another female, a fustian-cutter, who had been sharpening her knife in the cellar, was returning, when she felt a blow on her head, and at the same time perceived what she described as "thousands of sparks flashing." Another woman in the same house was coming down stairs, when she experienced a shock, which threw her down upon the stairs; but, in these latter instances the persons soon recovered from the stunning sensations which accompanied the stroke. In the immediate neighbourhood of these houses, the lightning entered the house of a fustian-cutter who at the time was smoking his pipe on the ground-floor. He felt a very violent blow, as if he had been struck on the head by a stone, and the pipe was knocked out of his mouth, and broken in pieces. In the garret of this house the upward action of the electric fluid could be clearly traced; it appeared to have passed out principally at the window, where it melted the lead of the casement, forcing the glass outwards into the street. His daughter, about seven years of age, was seated in a corner very near the window, and her neck was considerably excoriated, apparently by minute particles of melted lead from the window, which were thrown all over the room in great numbers. She complained of pain, as if from a blow on the side, but did not sustain any serious injury. On the window-sill, in the garret, there was a tinder-box, which was thrown to some distance on the

floor; the tinder was burned; but two pieces of fustian which were stretched for cutting, did not receive the least damage. In every case in this neighbourhood, including one in which two little girls at a school were knocked down by the shock, the smell of sulphur was stated to have been so strong as to be almost suffocating. All these shocks were felt about the same time, as nearly as could be ascertained. In several of them the upward action of the electric fluid was apparent, and from the number of places, quite separate from each other, in which its effects could be traced, it seemed as if there had been (as appeared to be the case at Ardwick) a number of simultaneous discharges of electric fluid at different points.

At Pendleton, the electric fluid struck two houses in Richmond-row, where it knocked off the plaster from the walls and ceiling, and did other damage, though not of a very serious nature. A young man who was passing at the time, carrying some brass castings in his breast, received a shock which threw him down, and it was a minute or two before he recovered from the insensibility which it produced. He was not otherwise injured.

At the time at which this storm was raging on the south side of the town of Manchester, there was another to the northward, which was felt with great violence at Rochdale, Middleton, and Oldham. At the former place a cow was killed in a field. At Middleton, the lightning struck a house where it did some injury to the building, and broke a quantity of earthenware, but without serious personal injury to any one. At Oldham and in its neighbourhood several buildings, including

the Blue-coat School, were struck; but in no case was the injury either to persons or property of a very serious nature.

On the 4th another storm burst in the neighbourhood of Preston. A young woman was killed. She had put her two children into bed, and gone into the weaving shop, where her husband and another person were at work; and she had scarcely sat down to her loom, when the lightning struck the house and came down the chimney, near which she was, scathing her on one side from the head downwards, her face and body being much discoloured. Her death was the work of an instant, as she never moved or breathed after falling. The side of the house was much shaken, and several squares of glass were broken in the windows by the concussion. On the 6th, a similar storm visited the country round Dublin. In one field at Jobstown, near Tuller, forty-two head of cattle were killed in a field by the lightning. At the hill of Tallaght, eighteen cows and heifers, twenty-three sheep, an ass, and a goat, were struck dead.

—STEAM BOATS ON THE THAMES.—An inquest was held on the body of Luder Messerer, a German tailor, who was drowned by the swell of two steamers capsizing a boat in which he and five others were coming from Greenwich to London, on the night of Monday, the 8th of June.

George Saunders, a waterman, deposed that on the night of Whit-Monday he was engaged to row six gentlemen from Greenwich to London. When off Execution-dock, Wapping, two steamers passed him at the rate of ten miles an hour, on their way to London. The swell caused by

them was very heavy, and upset his boat, and the whole party were precipitated into the river: he called for help, and two or three watermen came up in their boats and saved five of the passengers and himself; the other passenger was the deceased, who was drowned. The first steamer caused a great commotion in the water, and tossed his boat about, but he should have got over that if the second had not passed at a still more furious rate. He called to the second vessel to ease her, but they took no notice of him. Was quite sure the steamers were passing up, and not down the river.

Henry Holmes, a waterman, said he heard the cry for help, and immediately put off in his wherry. He picked up three persons who were in the water. He had just before observed the *Greenwich* and the *Red Rover* steam-vessels going down the river. A small steamer passed up the river a very short time before. The swell was so great that as they hauled the bodies into the boat the water rolled over the boat's gunwale. Another waterman, who picked up two of the men, stated that he also observed two steamers going down the river, which he believed, caused the accident. There was a towing steam-vessel, which carried passengers, going up the river at the same time. Another waterman, who was rowing down the river past Execution-dock, heard the cries for help, and saved two of the people. He saw no steamers about at that time except one, which was going down, but had not passed the boat which was swamped, and could not have caused the swell which capsized it. He saw some steamers go down four or five minutes before. He called to the *Monarch* tug-

vessel (the steamer which had not passed) to stop, and they did so. He saw two steamers, of which the *Greenwich* was one, pass down the river just before he picked up the two persons. He did not know the name of the first steamer; he believed it was the *Red Rover*, but he could not swear to that. The first vessel was a considerable distance ahead of the other. The *Greenwich* steamer was going at the rate of eight or nine miles an hour, and had not passed above two minutes when the alarm was given. On the other hand, a person, whose premises joined Execution-dock, deposed that he saw the *Greenwich* steamer pass, and about fifteen minutes afterwards he saw the boat upset. The river was then smooth: there was nothing to make the boat go down, and he wondered how it disappeared. The swell of a steam-boat generally continued about ten minutes. A small steamer passed after the *Greenwich*. He had no recollection of seeing two steamers pass up just before the accident occurred. Nicholas Chevreux, a tailor, a native of France, said he was in the boat which upset, with five friends and the waterman, who was rowing. They had proceeded as far as Wapping, when he saw two steamers coming towards them from London. One was ahead of the other a little, and passed the boat on the south side. The largest steamer was the first, and had her name painted on the paddle-box in a circle. After the steamer had passed them about forty or fifty yards, they felt the swell, and the water came over the side. Their feet got wet, and they begged of the waterman to put them ashore. The waterman laid on his oars and called for help, and finding the

boat sinking, he jumped overboard. He looked round and saw no more of the boat. He had no doubt the two steamers caused the swell which upset the boat. They had passed other steamers which raised commotion in the river, but not so great as that caused by the last two steamers which passed them. He saw no steamers going up the river at the time. It was about 12 o'clock when the accident happened. The two steamers were on the south shore. The persons in the boat were all sober and were all seated quietly, when the swell was raised by the steamers. The waterman was rowing very steadily. He could not judge of the rate of the steamers. They were going very fast. He could not say that the *Greenwich*, which was passing the window at the time of his examination, was one of the steamers.

The master of the *Monarch* steamer said he came from London-bridge to Wapping and saw no steamer pass him upwards. The *Greenwich* was a-head of him going down. He stopped his vessel when called to on hearing that a boat was upset.

The Coroner thought it was the united swell of the four steamers, and the generally perturbed state of the water, that caused the boat to upset.

The jury, after a long consultation, returned the following verdict;—"We return a verdict of manslaughter against divers persons unknown to the jurors, having the conduct and management of some steam-vessels whose names are unknown to the jurors; and the jurors empanelled to inquire into the death of the said Luder Messerer cannot separate without unanimously expressing their re-

probation of the velocity and dangerous navigation of the steamers in the river Thames between London-bridge and Greenwich, by which so many accidents have been occasioned to life and property, and so many lives lost; and the jurors beg leave to express an earnest hope that his majesty's government and the legislature will turn their immediate attention to some measures by which the evil may be abated, and enable the King's subjects to travel with safety on the river Thames."

The day after, the 9th June, a wherry containing three persons, was capsized by a steamer (which went right over the boat), off Shadwell, but fortunately the parties happened to be good swimmers, and managed to keep themselves up until assistance arrived, and were taken ashore. The steamer (generally engaged in towing), which had been conveying passengers to and from Greenwich, went on as if nothing had happened. On the next day, 10th June, a still more serious accident happened. A waterman was returning to London in his wherry with six persons on board and had reached the West-India-Dock entrance at Limehouse hole, when four steamers passed in rapid succession at full speed, and caused a very great swell in the water. The waterman endeavoured to get out of the way of the swell, but in vain; his boat filled with water and sank. The passengers screamed aloud for assistance, and several boats put off, but they succeeded in saving only three of the party, viz., the waterman and two of the passengers. The other four passengers were drowned.

On the 15th, a coal porter employed in delivering coals from a

barge, was drowned, having been tossed into the water from the plank on which he was crossing with a sack of coals on his shoulders by the agitation of the barge in consequence of the swell from the steamers. A witness stated that there were two or three steamers passing when the deceased fell overboard. The steam-vessels were passing up and down all day. The swell of one had scarcely subsided when another went by. Sometimes there were two or three together close astern or abreast of each other. Owing to the tier of shipping which intervened between the barges and the steamers, it was impossible to distinguish the names of any of them. The steamers, as near as he was able to judge, were going at the rate of ten miles an hour. They seemed all day long to be racing with each other, and making their passages as rapid as possible. Their speed was quite dangerous to persons employed, as he was, on the water, and also to the company in the small boats. After the accident happened, one of his employers came on board and asked him and his fellow-servants to continue their work, but they all refused, owing to the great danger. They were then asked to work only when the water was quiet, and leave off when the steamers approached, but they replied that it was impossible to do so with safety, and they would not place their lives in jeopardy any longer. There were nine of them besides the deceased, and they all actually left their work.

The Coroner said it was quite hopeless to expect that they could fix on any particular individual or steamer, and he advised the jury to follow the course adopted by the

jury who sat on the body of Luder Messerer last night, to return a verdict of manslaughter against persons having the care and management of steam-vessels, whose names were unknown. He begged leave to read the by-law of the Waterman's Company, restricting the speed to five miles an hour in the Pool, between London-bridge and Greenwich. The penalty for every offence was 5*l.*, and convictions had taken place. They had evidence that the steamers were proceeding at the rate of ten miles an hour, which was an unlawful act, and highly dangerous to persons and property in the river. The Jury said that steam-boat conductors did not mind a penalty of 5*l.*, and there would be no remedy for the evil until the legislature made the penalty much larger, or prevented steamers from entering the Pool at all.

The Jury then returned a verdict of "Manslaughter against divers persons having the care and management of steam-vessels, unknown to the jurors, who by the illegal and dangerous speed of their steamers caused the death of Henry Holland, while engaged in his lawful occupation on the river Thames, the said river being the King's ancient and common highway."

9. HAIL AND THUNDER STORMS.—During the 9th, 10th, and 11th, different parts of the country suffered from thunder storms accompanied with heavy hail-showers. The destruction of glass in the neighbourhood of Cambridge, on the 9th, was estimated at 2,000*l.* In Newmarket and its vicinity a vast number of panes of glass were broken. At Leicester the painted window of the new church was destroyed. In Dur-

ham, on the 10th, the lightning struck the western tower of the Cathedral, and hurled down an immense mass of stone, which, alighting upon the pavement beneath, was dashed into innumerable portions. At this moment a party of students belonging to the University, who had been inspecting a monument erected to the memory of the Rev. J. Carr, late master of the grammar-school, alarmed by the crash, rushed from the Cathedral, and two of the party were instantly annihilated by the falling fabric: another had his right foot dreadfully mutilated, and a fourth was severely bruised by several fragments of the stone.

15. EARTHQUAKE IN MAJORCA.—At twenty-nine minutes after midnight on Monday, the 15th, the inhabitants of Palma were frightened from their beds by a sudden explosion resembling a powerful discharge of artillery, which lasted about two seconds, and was followed by a sensible movement of the ground in a perpendicular direction. The sky was perfectly clear, the moon, who was in her last quarter, had just risen, and the wind blew fresh from the north-west. The remainder of the night was calm, and at 6 o'clock in the morning the people, who had fled to the fields, returned to their homes. The 16th and 17th passed without further alarm, and it was ascertained that this phenomenon had not been perceived in any but the middle of the western part of the island. On the night of the 17th, precisely at the same moment as before, a similar detonation, though less strong than the former, renewed the terrors of the inhabitants, shook their habitations and induced them to fly again with

increased alarm to the open fields, where tents were raised for their shelter. The nobles hastened away to their country-houses, and every one believed that the fulfilment of the following prophecy, delivered a hundred years ago, was approaching:—A priest, named St. Vincent, announced from the pulpit that, after three earthquakes, Majorca would be swallowed up in the waves. In fine, on Saturday, June 20, a third explosion, stronger than the second, but less tremendous than the first, took place, and threw the whole population of Majorca into a state of stupor. The town of Palma was entirely deserted, and the terror-struck inhabitants remained for some weeks in the fields, expecting every moment to be engulfed by the sea.

15. INAUGURATION OF THE EMPEROR OF AUSTRIA AS ARCHDUKE.—The inauguration of the Emperor as Archduke of Austria, took place on the 15th. On the 13th, Count Von Colloredo Mannsfeld and Count Von Hardegg proceeded in great state to Kloster Neuburg as Imperial Commissioners, for the reception of the Archducal hat, which is preserved in the Augustine convent of that town. On the 14th their Majesties, surrounded by a splendid Court, proceeded through lines of regular troops and armed citizens to St. Stephen's Church, at the entrance of which they were received by the Knights of the Orders of the Golden Fleece and the Grand Crosses, and within the church by the bishops of the empire and other dignitaries of the church, headed by the Archbishop of Vienna, and the Bishop of Kloster Neuburg, in his character of hereditary Court Chap-

lain. His Majesty was then conducted to the throne, amidst sounds of trumpets and cymbals; and the Empress, with her attendants, took the seats which had been set apart for them. After the performance of divine service, their Majesties returned to the palace, where the Emperor on the throne received the committee of the grand deputation from the States, who, through their president, solicited permission to take the oaths of allegiance. After the speaker had delivered his address, Count Von Mittrowsky, the Chancellor, advanced towards his Majesty with profound reverence and inclination, when his Majesty by a sign of the head ordered the permission to be granted, which the Chancellor communicated to the Committee present in a short speech. The committee then returned to the deputation, which was assembled in the Grand Hall, where the Emperor shortly after arrived in great pomp, and took his seat on the throne, surrounded by the great functionaries of the State and a splendid military staff. The Chancellor again approached the throne, and received his Majesty's commands to communicate his gracious will to the States, which was complied with by the distinguished functionary. To this address the Land Marshall of Lower Austria answered in a short speech, soliciting of his Majesty the preservation of their privileges; whereupon his Majesty condescended to promise the maintenance of their privileges, and exhorted them to fidelity and obedience. This address was received with the liveliest acclamations and expressions of joy. The deputation was then called upon by the

Chancellor to take the oaths, which having been effected, he handed to the Land Marshal of the deputation the charter of their privileges, signed and sealed by his Majesty. The members of the States then severally approached the throne and bowed. After this ceremonial, their Majesties proceeded to the parish church, where a *Te Deum* was performed, and the whole was concluded by a sumptuous banquet.

16. COAL MINE EXPLOSION.—An explosion of fire-damp took place in a coal-pit at Wallsend, where 104 men and boys were at work, of whom only three men and a boy escaped alive, the other hundred persons having been suffocated on the spot. The colliery had been viewed in the morning by the under-viewers, and it was by them considered perfectly safe and secure in every respect, there not being the least indication of any escape of gas; and at the time of the explosion there were four overmen and deputies down who had been accustomed to work in the pits for upwards of thirty years. The catastrophe was made known to the banksmen by a considerable report, accompanied by a rushing of choke damp to the mouth of the shaft, bringing up with it some of the pitmen's clothes, and other light articles, from the bottom. There were two other shafts connected with this colliery, in one of which two men were at work, who felt a slight shock at the time, and soon after a quantity of choke damp. They escaped by being drawn up immediately. On the alarm being given, eight men volunteered to go down, in the hope of being able to save and bring up some of their com-

panions. After descending to the bottom, however, in attempting to get into the works, they instantly found themselves almost suffocated by the foul air; they had the greatest difficulty in regaining the ropes, and were almost insensible before they could be drawn up again. The four who were brought up alive, were all more or less burnt, and their intellects appeared to be deranged. They wandered in their discourse, and were unable to give any account of the origin of the explosion. The boy was found altogether naked, under a small carriage, the other survivors had their clothes partially off, as if the foul atmosphere had benumbed their faculties, and presented to their minds the idea of going to bed. Their escape was attributed to their having been at a short distance from the bottom of the shaft where the accident occurred, so that they had the benefit of the atmospheric air. Several of the dead bodies taken from the mine were found in a creeping posture, as if they had been following each other, and striving to escape from the foul air to the purer atmosphere near the bottom of the shaft. One of them had two lamps and a hatchet in his hands. Before the Coroner's jury, several witnesses were examined, but nothing was elicited tending in any way to throw light upon the origin of the explosion. The jury returned the following verdict:—"We find our verdict to be accidental death, arising from an explosion of inflammable air, but how, or in what part of the mine it originated, there is no evidence to show. In recording this verdict, the jury must express their full conviction

that there has been no want of due care and precaution on the part of those who had the direction and management of the mine."

21. BURNING OF A SHIP BY LIGHTNING. — The *Sir Walter Scott*, Clarke, master sailed from New Orleans, for Liverpool, on the 21st of May, with a cargo of 1,794 bales of cotton, eighteen seamen, and three passengers, one of them a lady, Mrs. Hamilton. On the morning of the 21st of June, about 8 o'clock, in latitude 31 24, long. 75 43, when under double-reefed topsails, and bearing upon the wind, opposite, or nearly so, to Charleston, South Carolina, a heavy peal of thunder broke over the ship. The captain and his three passengers were in their cabins. The lady started up in fright, and the captain jumped on deck in so much haste as to be without his shoes. The electric fluid struck the foremast, entered the forecastle, where the seamen were at breakfast, dashed every thing into pieces, sent the men sprawling in all directions, and completely raked the vessel, fore and aft, and between decks, and in the hold. In a few minutes the cry of "Fire!" was raised, and awakened the seamen, who were almost struck senseless by the electric shock, to a new sense of danger. The passengers almost lost their senses, and Mrs. Hamilton was the only one whose courage rose to meet the danger with promptitude and energy. "The long boat, the long boat," was shouted. It was now six or eight minutes since the lightning had struck the ship, and every part of the cargo, fore and aft, was already on fire. The long boat was full of various articles, and could not be

got out at the moment. The captain seized a cutlass and a pistol. "Men," said he, "you never yet deserted me in danger — rouse yourselves now—I'll shoot the first man that does not at once do his duty. Clear out the long boat—down with the gig—stir, stir, or in ten minutes we shall see eternity." The men, headed by the mate, cleared out the long boat, launched the gig, and then swung down the boat into the boiling ocean below. "Put the lady in the long boat," shouted the captain. The ship was at this moment rolling tremendously—the flames bursting forth in all directions—her masts tottering to the gale. The lady reached the boat in safety. The disabled seamen were placed near her—six others put in the gig. The captain and his mate were the last to leave the deck of the burning ship. All were now in the boats. "Cut adrift—cast off," shouted the captain. They cut adrift from the burning ship, and pushed out of her wake. "All is lost," said the captain, "but our lives are yet left us. We have another chance to live out the gale." The moment the long boat and the gig left the burning vessel, her masts fell by the board, the flames burst forth in greater magnificence than ever; the thunder rolled, the lightning still flashed; the sea was roaring around, and the two small boats floated over the billows before the wind, and entirely at its mercy.

At last, in about fifty minutes, from the first stroke, one long sheet of flame covered the wreck, and the *Sir Walter Scott* sank.

The captain, crew, and passengers now sailed for the coast. They had few provisions, and their prospect was gloomy enough. The

VOL. LXXVII.

two boats kept each other's company all that day and the succeeding night. It was still blowing hard. At the peep of dawn next day, the captain espied a sail to the leeward. It was immediately determined to send the gig to the vessel in sight, and endeavour to get aboard if possible. Accordingly, a sail was rigged out of an old sack, a mast was raised, and this sail was spread before the wind. "Mate," said the captain, "you must go alone to that vessel, and get on board the best way you can." "Ay, ay, Sir," said the mate. In a short time, the gig reached her destination. The vessel proved to be the *Saladin*. She backed her yards. In another brief space the long boat appeared; all were taken on board.

24. **TITHE MURDER.**—An inquest was held in Dundalk, on the body of James Robert Eastwood, a tithe and rent collector, who died in the Louth Hospital. He had been employed on the 24th, by the agent of Robert Hall, Esq., to sell some goods distrained for rent at Carrick Edmond, about two miles from Dundalk. After the sale, the deceased, the agent, and several of the tenants, adjourned to a public-house, where they drank rather freely. All of them appeared in good humour, with the exception of one person, who alleged that Eastwood had treated him ill, some time before, regarding the payment of tithe, which the deceased had been in the habit of collecting. Eastwood, on his way home to Dundalk, was met by four men armed with sticks, who came from the adjoining fields, where a great number of the peasantry were collected. They knocked him down and beat him

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in a most brutal manner. Scarcely an inch of his body was free from contusions, and his hands, in an ineffectual effort to preserve his head, were beaten to pieces. He was able, however, to reach the gate-house of the rev. Gervais Tinlay, from whence he was conveyed in that gentleman's jaunting car to the Louth Hospital. This outrage occurred in a very thickly inhabited part of the country; and although it was witnessed by a number of persons, thirteen of whom were examined at the inquest, not one could be induced to discover the perpetrators of the murder. Under these circumstances, the verdict of the jury was — "Wilful murder against persons unknown." One of the witnesses was committed for perjury under the Coroner's warrant, and two men, who were working in an adjacent field, whilst the murder was perpetrating, were bound over to give evidence at the assizes.

DISTRESS IN IRELAND.—During the present month, the poorer inhabitants in many places along the western coast of Ireland, particularly in the county Mayo and the adjacent islands, suffered severely from a failure of provisions. At a meeting of a central committee for their relief, held at Castlebar on the 15th, the rev. Mr. Dwyer stated that the population of Clare Island amounted to 300 families, of whom only fifteen at most had provisions to last till harvest. All the rest were at this moment in want, with the exception of twelve or fifteen families who would be equally destitute in a fortnight. Of nineteen families living in one village, twelve had begun to be in want in April. In that village there were six families

who, if a shilling could buy a ton of potatoes, were not able to command it. All the other villages in the island were said to be still worse off. The rev. Mr. Conolly, from the island of Achill, stated that the crop was short there last harvest, owing to the failure of the seed in spring, and to the north-western gales in August. He had given relief to 750 families, and he would require thirty tons more than he had to distribute, in order to afford even six stone to each family. Many poor creatures came forward to offer the hides of the goats they had killed, as also geese, hens, stockings, and even wearing apparel, in lieu of potatoes. Potatoes sold there for 7*d.* per stone. — A respectable inhabitant of Ichnisturk stated the number of families at about ninety, of which only five were not distressed. Some few might be able to procure food from their own resources, provided the rents were not called in; but if the rents were called in, they would starve.—Sligo's agent at Boffin and Stark had given relief to eighty-five families; fifty families, to his own knowledge, were positively in a state of starvation, and utterly destitute of means to procure relief; about 100 families besides were in want; but the half of that number had some means, the rest had none. Potatoes were 5*d.* or 5½*d.* per stone.—The rev. Mr. Hughes stated, that the distress in his parish (Burris-hoole) was chiefly owing to the failure of the crop, some of which was lost by the perishing of the seed, and some by high winds in August. Many families were obliged to put themselves on the short allowance of one meal in the day, so early as last February; he had already seen many with the

signs of starvation in their haggard countenances, and had heard them cry from hunger; he knew whole families, each of which subsisted frequently for twenty-four hours upon one quart of meal. The population was 11,761, of which number 5,000 were now actually in want: 300 families had neither cow, sheep, nor horse, nor any other means to purchase provisions: 200 families at least had not been yet able to make their usual sowing of potatoes for want of seed; and hundreds would necessarily perish of hunger, unless something was soon done for their relief. A magistrate gave a similar account. —The rev. Mr. Gibbons stated the population of his parish (Kilgevar) at 9,000. The crop failed there last year, owing to the rotting of the seed and to harsh winds; 2,500 persons were now in distress. About one half of those might struggle through summer, if they sold their few head of cattle to procure provisions, but the rest had no resource. The wives and children of a great many of them had already gone to beg. At subsequent meetings of the committee similar accounts were received from other parts of the western coast and its islands. They exhibited the state of the country as being deplorably wretched, and the sufferings of the poor as daily and hourly on the increase. Several thousand families were reported to be without food, except the precarious sustenance they were enabled to gather in the fields, and among the rocks on the sea-shore. Cabbage and shell-fish usually furnished their repast. In some places partial relief was given by the meal which the central board ordered to certain districts; and a resolution passed at the meeting,

by which they requested permission of the London Distress Committee to procure, with the money remaining at their disposal, 100 tons of meal, to give further assistance. A Mr. Owen, from the Board of Works, attended by order of the lord-lieutenant, and informed the meeting that his mission was into Erris, where 500*l.* was to be expended for the purpose of giving the poor employment.

29. TRIAL IN PARIS.—M. de la Ronciere, a lieutenant in the French army, was tried at Paris for a violent assault on Mademoiselle Morell, a young lady of Saumur, to perpetrate which he had broken into her father's house during the night. The principal witness was Mademoiselle Morell herself. But that young lady being subject to cataleptic fits, which came on in consequence of the assault, two physicians declared that she was in a proper condition to appear and answer questions only at stated intervals, which occurred from the hour of midnight to 4 in the morning. The court, therefore, rose at 8, and adjourned till midnight, when again it sat. In the meantime, the audience remained fixed on their seats. Mademoiselle de Morell entered the court, supported by an elderly lady, and followed by two of her relatives. Her step, though slow, was firm, and she took her seat in an arm-chair which had been provided for her, and turned towards the jury. Her voice, though weak, was not tremulous; and from the manner in which she spoke, she did not appear at all embarrassed. After having entered into some details of facts which occurred previously to the 24th of September, she came to the nocturnal visit and attack of the prisoner, at which period

her emotion very visibly increased. She proceeded—"On the night in question I was in bed and asleep, when suddenly I was awakened by a noise in the bed-room. I knew not at first what it was, but soon discovered that it proceeded from the breaking of a square of glass in my chamber window. As soon as I had somewhat recovered from my surprise, I heard a man leap into the room. He had on his head a police-cap. I immediately, on looking at him, discovered that it was M. de la Ronciere. He approached me and deprived me of my night-dress, and then tied a handkerchief round my neck and a rope round my waist. He said he had come to be revenged. He struck me several times on the arms and on the legs. He then began to bite my hand and to trample on my body. He also struck me a violent blow on the mouth, and during the time that he was thus assaulting me he said, from time to time, that he wished to be revenged. My stifled cries and groans were at length heard. Miss Allen came and knocked at the door and attempted to force it open. M. de la Ronciere at this moment escaped by the window at which he had entered, and as he was getting out I heard him say, 'I think I have done for her.' I then opened my eyes, which I had for some seconds kept shut, and saw that he was gone, but I heard him say to somebody, 'Be firm.'" The witness raised her voice towards the end of her deposition, and dwelt with much emphasis on the last two words.

President.—How was it that you did not call aloud for assistance? — It is probable that I wished to do so, but fear pre-

vented me. You said he had on a police-cap; what was the colour of that cap? — I have already stated that I believed it was red, although I could not swear that it was. Was he quite dressed?—Yes. Had he his pantaloons on?—I cannot say; he had a long great-coat on, and as that opened I saw something white, but I cannot tell whether it was his pantaloons or not that I saw. Did he take off your night-dress?—Entirely. Was it buttoned?—No, it was tied with strings round the waist. Did the prisoner begin by striking you?—Yes. On what part of the body? On the arms. Did he attempt to put you on the bed?—He did not. Had he a knife in his hand?—I do not know. When did he inflict the wounds with the sharp and blunt instrument?—At the end of the struggle. What, think you, induced him to fly—do you think that he heard Miss Allen moving?—Yes. She tried for a minute or two to open the door. Had you not already spoken to Miss Allen of La Ronciere?—Yes. And to Julie Grenier?—No, never. Had you received a great number of anonymous letters?—Yes, a great many. These letters were not of a very agreeable nature?—No. When he left the chamber, did you hear him say, "Hold fast?"—Yes, and I thought it was to the servant, Samuel. On your return to Paris, did you not receive on the Quai d'Orsay a blow on the arm?—Yes, a blow which seemed to be struck with a cudgel, but it did not leave any bruise. You received several bruises on the night of Sept. 24?—Yes, on the arm, neck, and breast. Nevertheless you danced on the 28th?—Yes; I was ill at the time, but not so

much as to prevent my attending the reunion. Did you keep your room after the 24th?—No. Are you, Mademoiselle, quite certain that the individual who entered your chamber on the night of the 24th was M. de la Ronciere?—I am quite sure that it was he. The President continued—I need not remind you how great a responsibility your declaration renders him liable to; you are, doubtless, fully aware of the serious nature of the deposition you are now making: and you are quite confident as to his identity?—I am fully aware, and I am sure it was he. You have spoken of the colour of the cap he wore; was the light of the moon sufficient to enable you to distinguish colours?—It was. You have on two occasions shown something like a want of confidence in your mother—first, in not letting her be called immediately on the night of the 24th; and, secondly, in concealing the wounds which you had received. Were they not inflicted in the most secret parts?—They were. When did you first speak of them to Madame de Morell?—After I had recovered.

The President here desired de la Ronciere to stand up, and then told the witness to look at him and say if she recognized him. She turned round, and looked him full in the face, and without the slightest hesitation, declared that she was fully persuaded of his identity with the individual who entered her chamber. President. — You recognize both the person and voice of the prisoner?—Yes.

President.—Prisoner, what have you to say to the charge?—De la Ronciere.—I protest against the deposition of Mademoiselle de Morell; and before God and man

declare it to be false. M. Lafosse. — Have you no explanation to add? — Prisoner.—What I have said comprehends everything.— President.—And to what motive can you attribute the declaration of Mademoiselle de Morell? — I know not. I cannot tell what should induce her to accuse me of a crime which I never committed. Do you suppose that there exists in her family any feeling of hatred towards you?—I have never done anything to the Morell family which could give me reason for supposing that they would wish to injure me.

It was proved, that Mademoiselle Morell, her father, and other relations of the family, had received a number of calumnious anonymous letters. De la Ronciere, being challenged as the author, fought a duel with his accuser, and then signed a declaration admitting the authorship of the letters. He now stated that his intention in granting that declaration, which, he said, declared a falsehood, was to hush up the business, and spare the feelings of his friends, as the *experts écrivains* had declared that the handwriting in the anonymous letters was his, and though this was not true, their declaration might be made the ground of legal proceedings against him, which he was anxious to avoid. The *experts écrivains* were examined. Their testimony was contradictory, and showed the utter absurdity of attaching any value to the depositions of men of their calling in a court of law. Some of the advocates and members of the jury so completely convinced two of these *experts écrivains* of ignorance or misrepresentation, that they acknowledged in open court they were wrong. Mr. Souham, an

officer of Dragoons, stated, that the day after the duel had taken place, la Ronciere told him that he was the victim of the most atrocious calumny, that he was accused of being the writer of the anonymous letters received by the Morell family, and that, though innocent, he had, to avoid further persecution, acknowledged himself guilty. On the witness reproaching him for acknowledging himself guilty whilst he was innocent, the prisoner replied "What could I have done? The proofs against me were so strong, that if I were a juror on my own trial, I should return a verdict of guilty." The prisoner rose up and denied having made use of this last expression. Several medical gentlemen were heard, all of whom gave it as their opinion that the violent nervous affections, to which Mademoiselle Morell had become subject, had been brought on by some moral cause, which must have shaken her frame with extraordinary violence. The traces of wounds on some parts of her person were also deposed to by her medical attendants. A good deal of conflicting testimony was given in regard to the broken pane of glass in the window of Mademoiselle Morell's bed-room, by means of which De la Ronciere was represented as having succeeded in opening the window, and gaining access to the room. The jury found the prisoner guilty of an attempt at violation of the person of Marie Morell, and of having inflicted certain cuts and wounds upon the said Marie Morell. At the same time, the jury declared, by the same majority of more than seven voices, that the commission of these crimes was accompanied by alleviating circumstances in

favour of the prisoner. The judges pronounced the following sentence:—"Emilius Clement de la Ronciere, having been found guilty by the jury of the crimes designated by the articles 2, 332, 21, and 22, of the penal code, but, according to the declaration of the jury, with alleviating circumstances, is condemned to ten years' confinement (but without previous exposure in the pillory) and to all the costs of the proceedings."

JULY

ACCIDENT IN A COAL PIT.—

On the morning of the 10th, while the colliers were at work in a pit, about four miles from Bolton, on the bank of the Irwell, the water burst in from the bed of the river, about 100 yards from the mouth of the pit, with such force, that seventeen persons (ten boys and young men, and seven adults) were immediately buried in the water and gravel. The pit contained three mines; the water entered the lowest first, and rose with such rapidity, that the men working in the upper mines had but just time to escape. About fifteen persons, who were working near the mouth of the lower mine, on hearing the roar of the water, ascended, and were luckily saved. A gate being thrown into the river at the point where it seemed to have made a breach in the pit, was immediately swallowed up, so that there must have been a very large cavity beneath. The pit was about fifty yards deep.

ACCIDENTS ON THE THAMES.

—On the evening of the 10th, along

wherry, containing five gentlemen (without any waterman), four of whom were rowing while the fifth steered, were proceeding up the river, against the tide, in the same direction with a steamer, of which they were a-head. They were coming round the point near the Pageants, almost at the same time as the steam-vessel, when the offset of the tide sheered the boat into the middle of the stream, in track of the steamer, which was coming up at a very rapid rate, close astern of them. The people in the steamer hailed them to get out of the way, but whether through incompetency, alarm, or otherwise, they were unable to do so; the steamer struck the boat midships, and she instantly went down. Two of the party went on one side of the steamer, and two on the other, while the fifth went under the vessel. Boats were put off, and three of the gentlemen were with considerable difficulty saved, but the other two were drowned. The steamer had been going at a rapid rate, and her engines were stopped by the captain's orders before she went over the wherry; but the vessel having so much way upon her, and being so near the wherry, it was impossible for the party to get out of the way in time to avoid the collision. The accident was in a great measure caused by the unskillfulness of the gentlemen, and the circumstance of the offset of the tide sheering their boat out from the shore.

On the 12th, three young men and a boy, who had just before hired a skiff at Paul's wharf, were proceeding up the river near Blackfriars-bridge, when, owing to the unskillfulness of two of the party who were rowing, and the alarm into which they were thrown by

the heavy swell caused by the Fairy steamer, which was going down the river at the time, they were driven against the piles near the bridge, and the boat instantly capsized. A gentleman's servant, and the boy, were carried away by the strength of the tide, and sank. Another clung to one of the piles, and remained in that position, until one of the numerous boats which put off to his assistance took him in. The fourth saved himself by clinging to the keel of the boat after it had capsized.

CATHOLIC RIOT IN LIVERPOOL.

—The 12th of July being the anniversary of the battle of the Boyne, a false report was industriously circulated by the lower class of Roman Catholics, that the Orange Lodges of Liverpool intended to celebrate it by a public procession. The catholics banded themselves together for the professed purpose of impeding the supposed procession, having previously armed themselves with bludgeons, daggers, pistols, and other weapons of offence; and as they found no procession, they dispersed in the evening, to different parts of the town, and congregated in groups in the street. They then commenced an indiscriminate attack upon all persons who were pointed out as being obnoxious. In Ben Jonson-street, a mob of about 300 persons congregated simultaneously to rescue a prisoner from the custody of a watchman, and the latter was obliged to fly covered with bruises, leaving his prisoner in their hands. A mob from Crosshall-street, having demolished the windows of a publican, who was said to harbour Orangemen, and committed other acts of

violence, joined that in Ben Jonson-street, and the whole body proceeded together along Vauxhall-road, chasing the watchman who had just escaped, uttering anathemas against their opponents, and shouting "Ten pounds for the head of an Orangeman!" A short time before this, some of the rioters had been lodged in the Vauxhall Bridewell. When the mob arrived there, they demanded the prisoners, threatening, in case of refusal, to pull down the prison. The request not being acceded to, the mob immediately began to put their threat into execution. A stone step was procured, and used by them as a battering-ram against the yard door, which shortly gave way. Mr. Ramadge, the Bridewell-keeper, having feared, from the riotous state of the street, and the shouts he had heard, that an attack might be made on the prison, had previously sent his children to a neighbour's house to sleep, but his wife had refused to leave him. At this juncture, however, when nothing was anticipated but danger, and probably murder, Mrs. Ramadge contrived to slip out at the back door, but just as she had got outside, the mob stopped her, and asked who she was. To this interrogation she had sufficient presence of mind to reply that she was a poor woman whom a watchman had put in Bridewell for getting a drop of drink, which proved a sufficient passport, and she passed through the crowd uninjured. Having succeeded in forcing the yard door, the attention of the mob was next directed to the inner one, and Ramadge and his assistants were obliged to secure themselves in the cockloft, above which was situated the fire-bell. They rang the bell

to alarm the police. In the mean time the mob had effected an entrance into the gaol. They then released the prisoners, dragged all the furniture they could lay hands on into the street, and speedily destroyed it. A quantity of lamp-irons which were deposited in the yard were seized by the rioters, and used by them as weapons. The superintendant of the fire police and nightly watch, hearing the fire-bell, concluded that there was a fire, and he lost no time in posting to the Bridewell in a coach. He had no sooner, however, alighted, than he found himself in the midst of the rioters, who immediately commenced an attack upon him. He retreated into the Bridewell for safety, when a ruffian violently struck him on the head with a lamp-iron, and had it not been for assistance that came up at the time, he would have lost his life. His men having arrived shortly after himself, he rallied them and charged the mob, when four watchmen and two of the captains of the watch were very severely injured. One of the watchmen was stabbed in the face with a dagger, which entered on the right side of the nose by the eye, and came out at the left. The superintendants of the borough police, and of the dock police, speedily arrived with their respective forces. The Mayor also promptly came up, and read the Riot Act, after which between twenty and thirty of the ring-leaders were taken into custody, and the mob dispersed. The Mayor, perceiving an evident inclination on the part of the mob to renew the rioting, ordered out the military, and two hundred soldiers were on the spot five minutes after the order was given.

During the whole of the subsequent part of the night, and in the early part of the morning, the streets remained in a state of inquietude: the windows of many houses that happened to have a yellow blind were broken by detachments of the rioters in different parts of the town, and men who were going to their daily labour at an early hour were attacked and beaten. A labourer, who happened to have his breakfast tied up in a yellow handkerchief, was knocked down and half killed. In the forenoon of the 13th, the mob again began to congregate in formidable numbers in Park-lane and Vauxhall-road, to search for Orangemen, and in both places commenced a renewal of the excesses of the previous night. Such was the agitation and excitement, that the inhabitants of these populous districts were compelled to close their shops and warehouses, and during the whole day there was a complete cessation of business. The military were again called out, and the mayor was obliged to repair to Park-lane, and read the riot act. No sooner had he and the military turned their backs, than the ruffians commenced breaking windows and stoning every respectable person that chanced to fall in their way. At the same time that the rioting was going on in Park-lane, a mob of 200 revisited the Vauxhall Bridewell, which was then in the keeping of four police officers. Here they demanded the release of the prisoners in custody, one of whom had just before been taken with a recently sharpened dagger in his possession. The officers on duty informed them that they had no prisoners; but the mob insisted that they had, and again threat-

ened to pull down the Bridewell, unless they were released. While they were parlying with the officers, a police force arrived, and several of the ringleaders were taken into custody; but the majority of the armed mob escaped. Detachments of the police were then sent to those parts of the town where the disturbances had taken place, with orders to remain the whole of the day, and no further violence was offered.

Similar riots, but not carried to the same extent of outrage, took place at Airdrie and Port-Glasgow, in Scotland. At Airdrie, the riot was raised by between 300 and 400 Irishmen, who had marched from Glasgow, a distance of ten miles, on purpose to attack an Orange procession. The Orangemen took refuge in their lodge, and the rioters then attacked the townspeople and special constables, several of whom were severely injured. The Irishmen were armed with bludgeons, guns, swords, and reaping hooks. A few days afterwards, the Protestants of Airdrie, in consequence of a report that they were about to be again assaulted, attacked the Catholic inhabitants, gutted the house of one of them, and broke the windows of their chapel. At the Glasgow assizes which followed, a Catholic and a Protestant rioter were sentenced to transportation, the former for seven years, the latter, as having been a ring-leader, for fourteen years; another of the Catholics was sent to Bridewell and hard labour for eighteen months.

At Belfast similar riots occasioned the loss of life. On the 11th the Orangemen erected three arches, adorned with garlands of orange flowers and ribands in Sandy-row and its neighbourhood. On the 12th a green arch and flag

were erected by the Roman Catholics. These points were positions; during the day, for the different parties, at which to rally and proceed against their opponents, each party cheering and throwing stones. The sovereign and other magistrates found it necessary to call on the military and police, and endeavoured to keep the contending parties separate, but were very roughly handled in the attempt to keep the peace. They were violently struck with stones. In the evening the Riot Act was read; and the mobs refusing to disperse, and becoming more outrageous, directions were given to take down the arches by force. This was resisted, and, at last, the military were ordered to fire. The consequence was, that a young woman was shot dead on the spot, and several men were wounded, one of whom died in a few hours.

13. STEAM-BOAT ACCIDENTS—*King's Bench*.—Gale and wife v. Dounaw. This was an action brought by the plaintiff against the captain of the Thames steam-vessel, plying between Dublin and London. The plaintiff and his wife took a boat on the 5th of October last, with an intention of crossing the Thames, the boat being rowed by two experienced watermen. As they were going across the river, and coming from behind a tier of vessels, which prevented the watermen seeing anything come down the river, the steamer approached in a very rapid manner, and swamped the wherry, precipitating all the persons on board into the water. Mrs. Gale was quite exhausted and insensible when she was picked up, and it was with great difficulty she was restored. Her health was not yet good. The two watermen proved

that they took up the plaintiff and his wife at the Elephant-stairs to go to Execution Dock: there were two tiers of vessels, one above and another below them. They did not see the steamer till they got clear of the tier. The steamer was going at seven or eight miles an hour. The tide had just turned, and on account of the deficiency of water the steamer came close to the tiers. There was a great swell, and with the first swell a good deal of water got into the boat; the second swell swamped the boat, and it went down, stern foremost. They could not have gone back. The closer you go to the vessel the safer it is, but the swell was so great that they could not get up to it. The nearest ship in the tier was thirty or forty yards off. They were obliged to keep the boat in motion, else it would have gone down at once. A police officer and a tide-waiter, who had seen the accident, stated that the boatman could not have done more than he did to avoid it. The steamer was going at the rate of seven or eight miles an hour, and the swell was sufficient to have overturned a wherry.

For the defence, the commander of a Herne-bay steamer stated, that he was on board the Thames steamer as pilot on that occasion. The vessel was going at the rate of four or five miles an hour only. A good look-out was kept, and the people saw no boat, nor did they hear any hailing. An agent of the company on board at the time the accident occurred, and two other persons corroborated the evidence of the last witness, the latter adding that the boat improperly attempted to cross the swell. The master of the lug steam-boat, was present when the

accident occurred, and believed the accident was occasioned by the carelessness of the watermen, but he did not see the people till the boat had been upset.

Lord Denman said, it was for the jury to say whether they believed that the conduct of the boatmen was the occasion of the accident, or whether it was to be attributed to the steamer.

The jury, after putting several questions to his lordship, returned a verdict for the plaintiff—Damages 100/.

—MURDER OF A GAMEKEEPER.

—Thomas Robinson, gamekeeper to P. B. Thompson, Esq., of Eskrick Park, Yorkshire, having been visiting a friend in the neighbourhood, left that friend's house about four o'clock, on the morning of the 16th, to return home. He carried a double-barrelled gun. As he did not arrive at home on Thursday morning, his friends became uneasy at his absence, and, about noon, determined to make a search. They found him lying dead on his back in a rabbit warren, with his throat cut, or haggled, from the front to the right ear. He was without waistcoat, coat, or hat, and there was evident marks that great violence had been used. His head had been held down by force, as the ground was indented, and the ling where it was laid was completely cut through and saturated with blood. The wound, though apparently done with a sharp instrument, was not a clean cut, but had been hacked or chopped, and the vertebræ of the neck were separated. There were no footsteps observable near the spot, nor could there be, as the ground is covered with ling; still there was sufficient to indicate that a violent struggle had taken

place between Robinson and his assailants. His gun, hat, coat, and waistcoat were found. His gun he had left in a field, nearly a quarter of a mile from the place where he was murdered. It was his invariable custom, when in pursuit of poachers, to lay aside his fire-arms, and attack the parties he was pursuing without the use of deadly weapons. He was a remarkably strong-built, tall, powerful man, weighing about thirteen stone, and his resolute and determined disposition had long rendered him a dread to the poachers who infested Mr. Thompson's preserves. The hat was found about 400 yards from the body; his coat about thirty yards off, and his waistcoat about ten. When he was found, the wound was completely covered by his neckerchief, which the murderers had drawn up over it after committing the crime. No footmarks could be traced, except on the bank side, 100 yards from the place where the body was lying. Persons resided within between 200 and 300 yards of the spot; no cries or sound of a scuffle had been heard; but two shots had been heard fired in that direction shortly after Robinson left his friend's house. The surgeon who was examined before the inquest, deposed that the windpipe and gullet were divided; all the muscles in the front and right side of the neck were cut through to the bone; the carotid artery and the jugular vein were also separated. He found several cuts in the vertebræ of the neck; the extremities of the bone and the tongue were cut off; the extremities of the windpipe were two inches asunder. A quantity of blood had run from the mouth and nose; it was not from any injury done to

the mouth or the nose, but had flowed from the throat in consequence of the position of the head at the time the wounds were inflicted. The deceased had been laid on his back, as was evident from the direction in which the blood had run on each side of the neck. There was no blood on the breast. The blood from the nose had run down each side of the neck, more particularly across the right side of the cheek. In the opinion of witness the wounds had been inflicted by a sharp instrument, which had been used with great force; for he found that one of the processes of the vertebræ of the neck had been cut off, which could only have been done by great force. The bones in the front of the neck were laid bare to the extent of two inches, the muscles and flesh having been cut away by repeated incisions; the handkerchief and shirt of the deceased were cut in several places, and the shirt-collar was likewise cut through. When he first examined the body, the handkerchief was still on the neck, the ends pinned to the shirt; and he thought the shirt-collar was buttoned. Upon the left arm, above the wrist, there was a little discolouration, and the skin was rather rubbed off, as if a blow had been recently given. From the place on which the blow was inflicted, it appeared as if the arm had been raised in an attitude of defence. On the other arm there was some blood upon the wrist, which appeared to have been grasped by a bloody hand; on the fourth finger of the right hand there was a piece of skin rubbed off the knuckle; there were a few drops of blood sprinkled upon the backs of the hands of the deceased, but the inside of both hands were

unstained with blood, and therefore the mark of blood observed on the arm could not have been caused by the deceased grasping his own wrist, but must have been done by some other person. He observed the shirt sleeve of the left arm had been wet and creased, as if some one had been kneeling upon the left arm, and then, leaning over the body, had grasped the right arm; the muscles of the right arm were very much contracted, as though the deceased had used great exertion to raise it. Soon after the body was found witness went to the place, and found an impression on the ground where the head had lain, as if it had been forcibly held down; he also found that the roots of the ling near to the head were cut, and, judging from the apparent position of the head, he thought that the ling was cut with the same instrument, and the same strokes as had inflicted the wounds on the neck. He also found pieces of the shirt-collar upon the ground in the same place where the ling was cut and amongst the blood, which was all in one mess, and had run from the wounds at the time they were given. The ling was much broken down where his feet were laid, as if he had struggled very much.

—ACCIDENT ON THE LONDON AND BIRMINGHAM RAILWAY.—On the 16th, nine men were killed by the falling in of one of the shafts of the tunnel of the intended rail-road to Birmingham, about two miles beyond Watford, Hertfordshire. It was supposed that on a portion of the woodwork being removed previous to bricking the shaft, the earth gave way carrying all the woodwork along with it; and burying the men beneath

eighty feet of soil. The man attending to the gin heard some of the earth in the shaft fall, and, feeling the ground under his feet giving way, he ran back and escaped, while a dog which was lying at his side was killed. The sub-contractor stated on the inquest that he had been down the shaft at 11 o'clock the night before. At that time the bricklayers were bricking up the tunnel close to the shaft. About six yards on either side had already been done. There was about ten feet space between the two brickworks. The space of the tunnel was twenty-four feet, and they had bricked, when witness was down, about three feet above the spring of the arch. It had been previously secured by bars—pieces of oak, about thirteen feet long by seven inches in diameter, which were used to support the chalk until the brick-work was put in. On one side, the soil was chalk; on the other, gravel. In the shaft length there were about eighteen inches of chalk in front of the gravel, and the chalk ran for about twenty feet from the crown of the arch, proceeding upwards. Everything was safe, when witness was down, and he had no reason to apprehend the least danger; he had worked in the tunnel on the previous night, and had helped to get the centres up. He had never been told that the shaft was unsafe, and he never believed it to be so. There was four feet distance between each centre, one of which was placed in the middle of the shaft, and two others at four feet distance on either side. When the brickwork was completed at one centre, they struck the centre and carried it on to the next. The bars were

struck as the brickwork came on, if they were in the way of the work; since the accident, witness had been down the tunnel; the soil that fell in consisted of chalk and gravel, of which there was none in when he left the night before. In striking a bar the chalk might be broke, and if the gravel was so near the bar it would cause it to run in. The bars rested on the chalk; there was no gravel visible in that length. He did not know how thick the chalk was. As a practical man he should have hesitated to strike either of the bars, even if he had not known of gravel being there. The resident engineer, had been down the No. 2 shaft, and on seeing gravel there told them to be cautious.

Mr. Stephenson, engineer to the Railway Company, stated that he had directed in all cases in which any danger was feared from the presence of sand, that six feet and four feet lengths should be worked. The resident engineer, had unlimited power as to any expenses necessary to render the work safe. He further stated that he had been employed as an engineer of the Leicester tunnel, and could swear to the fact of greater danger existing there than at Watford. The shaft length at Watford was obliged to be worked in a nine feet length. Mr. Buck, the resident engineer, made a similar statement.

The Jury returned a verdict, finding the cause of death to have been entirely accidental, and levying a deodand of 5*l.* on the bricks, timbers, &c. They further stated, that in their opinion every possible care and attention, that skill and science could dictate, had been used on the part of the com-

pany, their agents and superintendents, in the construction of the shafts and works which had been brought under their notice.

20. POOR LAW RIOTS—*Bedford*—John Burgoyne, William Setting, Richard Warner, and John Boxford, were capitally indicted for feloniously remaining in a state of riot for the space of one hour after proclamation made and the reading of the Riot Act.

This was one of the riots which had prevailed in various parts of Bedfordshire, in consequence of putting in force the recent statute for the amendment of the poor laws. It appeared in evidence, that, by virtue of the 26th section of that act a union had been formed of several parishes in this county for the better administration of the poor laws, and that guardians had been appointed for the various parishes included in such union. On Thursday, the 14th of May last, the guardians assembled at the workhouse in the central parish of Ampthill, for the purpose of hearing the complaints of the paupers residing within the union, and transacting the general business of the confederation. A very large assembly of the guardians took place, and whilst they were in deliberation in the workhouse, a crowd of from 200 to 300 people collected in the workhouse garden, which surrounded that building. The conduct of the assembled mob was very riotous; they made use of several threats of a serious nature against the guardians who were assembled inside. Many of the mob were armed with bludgeons, and a great quantity of pebble paving-stones was torn from the pavement of the garden-walk, and laid ready for use if occasion should offer. Several of the guar-

dians came out into the garden and addressed the people, assuring them that if they had any statement to make, or any complaint to prefer, or if they wished for information respecting the power and intentions of the assembled guardians, they should be patiently listened to, if they would but conduct themselves in an orderly and peaceable manner. These addresses were answered by cries of "Blood and bread," "No bread," "Break their heads," "One and all," and others of a like kind. The cries of "No bread" were uttered in consequence of its being understood that the union were inclined to act upon that portion of the new statute, which authorizes the giving of relief in clothing and food, and not in money, under certain circumstances. Seeing the violent conduct of the mob, the guardians returned from the garden into the consulting-room at the workhouse, but they had no sooner taken their seats at the table than some stones were thrown from the garden into the room, which caused the greatest perplexity and consternation. This state of things continued for a considerable time, during which nearly all the windows of the workhouse were demolished. There were plenty of constables in the crowd, who took various persons into custody, but the prisoners were rescued from their power. Thus matters continued from ten o'clock till half-past one, when it was suggested in the guardians' room that there was a necessity for reading the Riot Act, and it was unanimously agreed that that should be done. H. Musgrave, Esq., a magistrate of the county, who was also one of the board of guardians, accordingly read the Riot Act. After this a notice was pub-

lished in the Market-place, stating that the "Riot Act had been read, and that any one remaining in a state of riot or tumult for one hour would be guilty of a capital felony." This warning was also written in large legible characters, and affixed to the four corners of the market-house, but the mob tore the notices down instantly. The assembly still continued, the civil force was overpowered, and the rioting, throwing of stones, and tumultuous cries of "No bread." "All money," &c., were renewed and kept up for a long time. Several of the neighbouring magistrates had in the mean time arrived at the spot, and adjourned to the White Hart Inn, for the purpose of being at hand in case of emergency. The guardians also adjourned to that inn, and having made their way through the crowd as well as they could, they succeeded in joining the justices. The mob followed them and continued their disturbance in front of the inn. This state of things continued for three or four hours after the reading of the Riot Act, and it was proved that three of the prisoners were very active in encouraging the mob to acts of violence during the affray, and that they remained in a state of insubordination and riot for more than an hour after proclamation had been made, and the Riot Act read. No serious injury, however, appeared to have occurred during this disturbance, but one or two of the guardians were slightly wounded by the stones that were thrown.—The prisoners, in their defence, declared that "they had no malice in their hearts," and that all that they wanted was to provide for their families; and they declared that they had not

the least notion that they had incurred the capital pains and penalties of the statute of the 1st George I., by reason of remaining on the ground for the space of an hour after the reading of the Riot Act.—The jury found Burgoyne, Setting, and Boxford *Guilty*, and acquitted Warner.

24. ARSON. — *Huntingdon*. — Francis Beard was indicted for feloniously setting fire to a dwelling-house in his own possession, with intent to injure the trustees of a certain turnpike-road, and with intent to defraud the Norwich Union Fire Insurance Society.

It appeared in evidence, that a post-lad, named Young, was driving a chaise along the road leading from Huntingdon to Cambridge, about twenty minutes past two o'clock in the morning of Saturday, the 14th of March last. He had occasion to pass through the toll-gate at Fenstanton, and when he reached it he found it standing open; having called out "Gate," "Beard" (the prisoner's name), several times without receiving any answer, he passed on through the gate, but not until he had, as he thought, "heard the crackling of fire," in the turnpike-house. In half an hour Young returned to the gate with a gentleman's carriage, when he found the gate still open; and having again endeavoured in vain to make the collector hear, he got off his horse and went to the door of the toll-house, which he found quite warm, and he then heard the fire burning with great vehemence inside. He forced open the door, but could not enter, in consequence of the smoke and flames, and having put the carriage on one side of the road, he got upon one of

the horses and galloped to the village of Fenstanton to give an alarm. The villagers assembled in considerable numbers with the parish engine, and having broken open the door and the window-shutters, they succeeded in finally extinguishing the fire, after a part of the house had been burnt. When Young returned from giving the alarm, to the burning premises, he saw the prisoner standing near the gate, and remarked to him. "Why, old friend, I was afraid you'd been burnt, for I could not make you hear," and the prisoner replied, "I was not in the house at the time;" he then narrated to the witness the extraordinary tale which he afterwards told before the magistrates. The prisoner was lessee of the tolls under the trustees of the turnpike road, on which the house in question stood, at the annual rent of 382*l.* The fire having been put out, after an injury of about 25*l.* to the premises, many inquiries were made on the following day into the matter, but no light was thrown upon the subject. In the course of the day Mr. Green, the clerk of the trustees of the road, went over to the premises and saw the prisoner, and having previously heard that he had made a statement to several persons of some extraordinary circumstances said to be connected with the fire, he requested the prisoner to go over to St. Ives, and make his statement to the magistrates. The prisoner attended before the bench of magistrates at St. Ives on the same day, and having been sworn, he voluntarily made his statement, which the prosecutors put in evidence against him on this trial. The prisoner was not at that time under any suspicion, but appeared before

the magistrates in order to throw the blame of the transaction upon certain unknown persons. The prisoner in his examination swore, that, about five minutes before two o'clock that morning (Saturday, March 14th), the Newmarket mail-cart passed through his gate, and that he stopped outside for a few minutes to talk to the driver about a brace of pistols which were stolen from him two days previously. He shut, but did not lock, the gate after the man. He then went in, and in half an hour after as he was smoking his pipe, a cry of "gate" took him out again, and he saw two men standing close to his door. One of the men went into the house, whilst the other presented a pistol at his (the prisoner's) head, and swore "he'd shoot him if he attempted to go in." The man then drew another pistol from his pocket, repeated his threat, and insisted upon his quietly going with him. The armed man then took him 200 yards down a road opposite to the toll-gate, and they got over a hedge, and stood for a few minutes behind a hay-stack; and whilst they were there he (the prisoner) heard Young call "gate," &c., in the manner already mentioned. After this, the stranger took him across a meadow, at the end of which was a brook, which they were unable to ford; and in consequence of this obstacle they returned by the road they had already traversed, passed through the toll-gate, and went along the public turnpike road for the space of 400 or 500 yards, and then into a "spinney" (a small wood.) Here they waited for several minutes, when he saw Young returning with the carriage, and heard him call out "Beard, you're

all on fire!" The prisoner had previously sworn that, as he passed, under the coercion of the thief, through the gate, he saw a strong light through the key-hole of his house-door. In a few minutes, the robber, who had entered his house, joined them in the spinney, and produced a bottle of the prisoner's brandy, of which they all drank. Having done this, the men told him "he might now go where he chose, like what he was," and he returned in all haste to his burning premises. By this time the property was considerably burnt, and a quantity of his goods had been removed into the garden. He swore that he had lost a large sum in gold and notes, and several silver tea and table spoons. He gave a minute description of these "twomen," their "rather" red and "rather" black whiskers, their "rather" stout persons, their age about thirty-five to forty, &c. He said he told "somebody" at the fire that he thought "the men" might be taken, but he could not leave the gate in such a state to take any steps for that purpose; and he swore that, when he went out of his house upon the cry of "gate" by these ruffians, he left the door open and the key withinside.

This statement greatly astonished the magistrates, and some inquiries were made into the case without loss of time. It then appeared that the prisoner was very largely insured in the Norwich Fire-office, and he was consequently ordered to be immediately taken into custody. Upon his person were found several private papers of his own, the insurance policy, and the key of his door, which he had sworn he had left inside the house when he went out in answer to the summons of the

two strangers. It farther appeared, that, in December last, the prisoner effected the insurance, in the Norwich office, of his household goods in the turnpike-house, for 570*l.*, besides 30*l.* for pigs; although the value of his goods did not exceed 96*l.* Mr. Greene, of St. Ives, the active and intelligent clerk to the trustees of the road, desired that the woods and ditches near the prisoner's premises, and the roof and floor of his stable might be thoroughly searched, which was done on the day after the fire. Under the manger in his stable, which adjoins the house, but has no internal communication with it, the persons employed by Mr. Greene saw some turf (fuel), which they removed, and having "probed" the floor underneath with a fork they found the earth soft, and then perceived that it had been newly disturbed. Pursuing this clue, they found a sack, covered over with loose and freshly-turned earth to the depth of a foot, and in this sack were shawls, a night-gown, stockings, the tea and table spoons, which the prisoner swore he had lost, two watches, and other property belonging to him, to the value of 23*l.* 9*s.* It further appeared, that the bureau, which the prisoner swore had contained his money, was unforced and uninjured after the extinguishment of the fire, and it was proved by the mail-cart driver, who had gone through the gate at five minutes before two o'clock, that the prisoner was then dressed in his every day dress and hat, without any night-cap, whilst on all other occasions, when he has opened the Fenstanton gate at night, he has appeared in "a rough great-coat and a night-cap under his hat, as if he had just

been awaked out of his sleep." In addition to this, it was shown, that on the afternoon of the day previous to the fire, the prisoner's wife and servant went down by the coach to Cambridge "to exchange a bird," and do some other commissions, of which the servant seemed to have but a confused notion. This witness, the servant, swore that on the day, or the day before, they went to Cambridge, the soot in the chimney had caught fire, and the prisoner had pulled the soot down, and put the fire out with a hoe.

In his defence the prisoner repeated the strange tale he narrated when he was before the magistrates, about "the two men;" and with reference to the property found buried in his stable, he stated that he had put it there on the morning after the fire, in order to secure it from plunder. In order to account for having so many private and important papers about him at the time of his being apprehended, he proved by three or four persons that they had found some papers on the morning after the fire near the premises, and that they gave them to him; and one Bedford swore that he found some keys tied on a "clog," which he also gave to the prisoner; but it did not appear that the key of the house-door, which was found on him, was one of those keys. The night watchman of Fenstanton proved, that, about one o'clock on the morning of the fire, he saw two strange men riding in a gig in the direction of the toll-house. Several persons gave the prisoner an excellent character.—The Jury found the prisoner *Not Guilty*.

24. EXPLOSION OF A STEAM BOAT.—On the afternoon of the 24th,

the boiler of the Earl Grey steamer burst, while she was lying at the Steam-boat Quay, Greenock. The vessel had been moored at the quay about fifteen minutes, and was just on the point of starting, the bell having been rung, when the explosion took place. The boiler was rent all round, the roof forced up into a perpendicular position, the upper flues driven into the cabin, and the lower part of the boiler and under flues removed from their situation, blowing the deck completely off from the funnel to within eight or nine feet of the stern. The passengers, who were standing on that part of the deck, were blown into the air; two of these, a passenger, and a person belonging to the vessel, fell upon the quay, both of whom died immediately after; the rest fell into the sea. The water from the boiler was thrown nearly to the west end of the Steamboat Quay, over the shed; the rope, which fastened the steamer's stern to the quay, was blown on the top of the shed, also camp stools, large pieces of wood, &c. A part of the boiler, six or eight feet square, was driven by the force of the steam a distance of 100 feet and upwards. A great number of persons standing on the quay were much injured by the scalding water, and by pieces of coal, wood, &c. falling on them. Of the passengers and lookers-on, six were killed or drowned. Twenty-seven other were bruised or scalded, more or less severely, and four or five of these subsequently died. The engineman of the vessel was tried before the autumn circuit court of Glasgow, on a charge of culpable homicide, in not having duly attended to the safety valve, to allow the steam to escape while

the vessel was at rest. The jury, with the approbation of the judge, found him *Not Guilty*. There was evidence that he had opened the valve at one time, and it seemed doubtful whether the explosion had not been occasioned by some insufficiency in the boiler.

25. EXTRAORDINARY MURDER.—Stephen Prosper Bancal, a surgeon in the French navy, was tried at Paris for the murder of Madame Priolland. The lady, a married woman, had eloped with him from Angoulême to Paris, and there she agreed that he should put both her and himself to death. He had succeeded in the first part of the enterprise, but had failed in the second. The prisoner stated all the circumstances in answering the interrogatories of the judge. On the 23d of March, Madame Priolland, said to me, “We must begin,” I answered, “We have still time enough;” to which she replied, “But do you not recollect that you told me that it would probably take a long time,” and she again added, “we must begin.” She told the servant of the hotel to bring a footbath and water, into which, after she had heated the water, she put her feet, and I opened some of the veins in them; the blood flowed in great abundance, and she fainted away. I raised her up and placed her on the bed, and put a bandage over the wounds, as she was unwilling that the bed or her clothes should be stained with blood. I then endeavoured to arrange her dress in the manner that she wished to be placed in the coffin. Seeing the time advance, and that she had no appearance of dying, I took a scalpel and directed it towards her heart, but recollecting that she expressed a wish not to die by

that means, I threw it aside, and waiting till she came to herself, I then proposed to her to take acetate of morphine. She consented, and I divided the poison into two equal portions, one of which she took, and I the other. I thought our last moment was near, and we lay together on the bed for two or three hours, in that kind of intoxication generally produced by acetate of morphine.

The prisoner, after stating that they both threw up the poison, said, “I then asked her if she wished to recover. She replied, ‘No,’ and asked me to divide one of her arteries. I attempted to do so, but my hand trembled so violently that I could not completely succeed. I then stabbed myself with a scalpel, and I took a pleasure on beholding my blood flow. When she saw it, she said, ‘Stop! for if you should faint away, we shall never be able to finish.’” Here the prisoner was obliged, by overpowering emotion, to interrupt his statement, and sit down for a short time. On again rising, he continued in the following terms:—“I again asked her if she did not wish to live? To which she replied, ‘No’ and said, ‘I see we must have recourse to the means you spoke of.’ I then looked for the scalpel, and did not find it for some time, as it had fallen under the bed. On seeing it in my hand she said, ‘Now we must finish, for they will soon be coming here.’ I then stabbed her, but the blow was too feeble, my hand was so unsteady. I then stabbed myself, and we lay for some time thinking that all was nearly over, but she at length recovered herself, and said, ‘I do not feel that I am dying; you must try again, but take care that the next blow is a

good one.' I then stabbed her a second time, when she said, 'Ah, that one is good!' and pressed my hand."—Here the prisoner fell quite exhausted upon the seat, buried his face in his hands, and gave way to convulsive sobbing, the only sound that interrupted the silence of horror that prevailed through the Court. After some moment's interval, a lancet and scalpel, stained with blood, was shown to the prisoner, who recognized them as those he had put Madame Priolland to death with.

A friend of Bancal, who had dined with him and Madame Priolland, and passed the evening until ten o'clock with them the night of her death, stated, that during that evening Madame Priolland appeared more cheerful than usual, whilst Bancal, on the contrary, was serious and pensive. This witness also deposed to several attempts made by the prisoner to destroy himself since the death of Madame Priolland. Two or three surgeons, who were also examined, stated, that the wounds inflicted upon himself by the prisoner, must have proved fatal had he not been succoured in time.

The keeper of the hotel, where the prisoner and Madame Priolland lodged, stated, that not the slightest suspicion of their intentions could have been entertained in the hotel, as they appeared so happy and contented, that the general remark of the servants was, "What a gay and a happy couple they were." They had been to the Opera a few days before the catastrophe, and even the very day that it took place, Madame Priolland was heard singing some of the airs of *La Sylphide*. The President submitted the two following counts to the jury:—1. Is Stephen Prosper Bancal guilty

of having committed, with premeditation, a voluntary homicide upon the person of Madame Priolland? 2. Is he guilty of having attempted the life of Madame Priolland by means of a substance capable of producing death? The jury returned a verdict of *Not Guilty*, on both counts.

28. ATTEMPTED ASSASSINATION OF THE KING OF THE FRENCH.—

On the 28th of July, one of the anniversary days of the revolution of 1830, the king reviewed at Paris a large body of troops of the line and national guards. After having passed along the Boulevard to the farthest point at which the national guards and the troops were drawn up, his majesty, accompanied by the duke of Orleans, the Duke de Nemours, the Prince de Joinville, and a numerous and brilliant staff, was returning along the same line to the Place Vendôme, where the troops were to file off before him. At the moment when he had reached the Boulevard du Temple, a little before the Théâtre des Funambules, an explosion, resembling irregular platoon firing, was heard. At first it was supposed to be a discharge of fireworks, but the falling and cries of the killed and wounded soon revealed the reality; an infernal machine had just poured forth a shower of balls upon the *cortège* that surrounded the king! His majesty himself escaped, though one ball grazed his arm, and another lodged in his horse's neck. Marshal Mortier, and three other officers, were killed by his side. Five members of the national guard were killed, including a lieutenant-colonel, who received three balls. Five other persons were likewise killed, or died shortly afterwards of their wounds. Besides all these, twenty-seven persons, military and

civilian, men and women, were wounded, and among them three generals.

At the moment of the discharge, smoke was seen issuing from the window of a house on the Boulevard du Temple, opposite the spot. It was immediately surrounded, and the assassin taken into custody. About three months before, he had hired the rooms of the second and third stories of the proprietor. He gave his name Girard, a mechanic, and appeared to be about thirty-four years of age. His room had a window in front and another behind, and he had taken the precaution to fasten a rope to the latter to assist him in making his escape. By the bursting of some of the barrels at the moment of the explosion, the assassin was wounded in the forehead, the neck, and the lip. Notwithstanding his wounds, he rushed out of the window. Some police officers having run into the inner court, and seeing Girard slipping down the rope, one of them exclaimed, "Ah, wretch! we have you." Girard, who was at the moment at the height of a wall, threw himself over it into an adjoining court, and there a police officer apprehended him. He was conveyed to the Conciergerie. The minister of the interior, the prefect of police, and several magistrates went to the house, and in the assassin's chamber they found the remains of the infernal machine still smoking. The machine was fixed upon a kind of frame supported by four posts, which, with the transverse bars that secured them, were of oak. Twenty-five gun barrels of the ordinary length were placed upon this frame, their but-ends resting upon the hind ledge, which was seven or eight

inches higher than the front ledge, in order to give a corresponding downward direction to the muzzles. The latter were fixed in separate grooves, cut in the front ledge of the frame, but not all on a level, some being deeper from a-half to an entire inch than others, in order that the discharges might not bear all to one point, but take a more extensive range. By this murderous arrangement of the barrels their contents commanded a range of twenty-five feet in length of the king's cortège and ten feet in height, that is to say from the horses' hoofs to the riders heads. By this contrivance, the machine commanded a vast parallelogram, within which the king and his sons must have been at the moment of the explosion. But fortunately the bursting of four, and the missing fire of two of these barrels, rendered partly ineffectual the calculated results, by diminishing by twenty-four the number of balls that would otherwise have taken effect upon the royal cavalcade. The gun-barrels were secured at their but-ends by a strong bar of iron, firmly screwed at each extremity to the frame. The barrels were placed with their touch-holes uppermost, and on the same line, so that they might be simultaneously fired by a train of powder laid along them. By means of a screw, that part of the machine on which the but-ends of the barrels lay could be raised or depressed, so as to give a higher or lower direction to the discharge as the cortège passed. The machine was about four feet long, and three and a-half broad, and a little higher than the sill of the window. It was concealed by a Persian blind which covered the opened window, and was removed at

the moment the train was exploded.

It turned out that Girard was a false name which the assassin had given: his real name was Fieschi, and he was a native of Corsica. At the age of fourteen, he had entered the army of Murat, king of Naples. In 1816, he returned to France, where he was afterwards found guilty of a robbery with aggravated circumstances, and sentenced to ten years' close confinement, and to remain under the surveillance of the police for the remainder of his life. He underwent the whole of his punishment in the prison of Embrun, in the Hautes Alpes, on leaving which Lyons was assigned to him as his place of residence. Some time afterwards he surreptitiously left Lyons, assumed the name of Girard, and worked at Lodève. In 1830, Fieschi came to Paris, and presented himself to the Commission of National Recompences with false certificates, attesting that he had been condemned under the restoration for political offences. Several members of the commission took an interest in him, and recommended him to the minister of the interior, who from time to time granted him relief. Thus it was, that he became known to several men of honourable character, and particularly to lieutenant-colonel L'Advocat, formerly one of the members of the above-mentioned commission, M. Didier, secretary-general to the minister of the interior, M. Olivier Dufresne, and M. Caune, engineer to the administration of the bridges and roads, who have since recognized him. The protection of these personages obtained for him an admission into a company of *sous-officiers sédentaires*, and he was afterwards appointed one of

the superintendents of the river Bièvre, which for a long time brought him into connexion with a great many of the inhabitants of the Quartier Mouffetard. In 1833, the prefect of police discovered that all his certificates were forged, and consequently denounced him to the Procureur du Roi. Fieschi, having got timely warning, disappeared, and had ever since gone by a different name. He admitted that he had discharged the machine, but he avowed no motive, and maintained at first that he had no accomplices. He subsequently told a different story.

30. JUVENILE DEPRAVITY.—*Derby*.—William Wild, aged only fourteen, was indicted for the wilful murder of Elizabeth Smith, at the parish of Church Broughton, in this county, on Friday, the 22nd day of May last, by drowning her in a pit or pond of water. There was also an indictment against him for the murder of Martha Smith, sister of Elizabeth, committed on the same occasion; but he was not tried on the second, the facts and evidence being the same in both cases.

Josiah Smith and his wife were small farmers in the parish of Church Broughton. In the month of May last their family consisted of three children, namely, John, aged seven, Elizabeth, aged three, and Martha, aged one year and a-half. The only servant they had was the prisoner, whom they had hired about a month or six weeks before, and whose duty it was to fetch the cows, feed the pigs, run of errands, &c. After he had been in their service about a fortnight he ran away, but he was sent back by his mother. On the 22nd of May last, Mrs. Hall, the mother of Mrs. Smith, arrived from Sutton

on a visit to her daughter, and complained to the prisoner of the dirty and disordered state in which she found the house, although it was his business to keep it clean. She told him that he was a very indifferent "maiden," and that if she had such a maiden as he, she would knock his head off. After dinner, Mrs. Smith told him to clean the fire-irons. He made no answer, but did not do so. She afterwards told him to serve the pigs, and he did so, but not in a proper manner; and on her saying so to him, he replied, that it was the way in which his master had desired him to do it. Mrs. Smith then told the prisoner to go and fetch home the children. She had seen them going with a neighbour's children some time before towards a stile that led into a close called Ox Close. There was a gate by which Ox Close communicated with another close called Small-hill Close, and in the latter was situated a pit or pond of water, kept for the use of the cattle. There was a smaller pit near it, but on the other side of the hedge, by which the two closes were separated from each other. The prisoner, when directed to fetch home the children, muttered something and said "he was no maiden," but went nevertheless. He returned in about half an hour, and told his mistress that she must go for the children herself; they were sitting, he said, behind the stile, and would cry their hearts out, if he attempted to bring them. She accordingly went to the stile in two or three minutes, but not finding them there, she went along the pathway through the gate into the Small-hill Close, and on going up to the pit, she beheld the body of the elder child,

Elizabeth, floating on the water. She looked to see if her other child, Martha, was there also, but could not see her. She then ran back to the gate into the Ox Close, and along the hedge, to the other pit, to try if Martha were there. In so doing she met the other children, and sent one of them, named Maria Earp, for her father and mother, who instantly came to her across the close. She also found the prisoner, whom she had left in the house, in the Ox Close, and sent him in search of Martha. He immediately went to the large pit, and called out to her that both the children were there. She returned to it instantly, and then saw the bodies of both her children floating on the water. Mr. Earp, with the prisoner's assistance, succeeded in getting them out of the pit. They were both dead, but were carried home directly, whilst the prisoner was despatched for Mr. Adams, a surgeon. At the end of between two and three hours the prisoner returned, and said that Mr. Adams told him that "there would be no use in his coming, as he could render them no service, but that the children were to be well squeezed, and rubbed over with salt." Upon hearing this, Mrs. Earp observed, "He has not been there at all; my husband had better go;" and Mr. Earp accordingly went for Mr. Adams, who came in half an hour, he never having seen or heard of the prisoner. The children being dead, of course nothing could be done for them. The prisoner had been seen carrying the child Martha, and leading her sister Elizabeth across the Ox Close towards the pit, and the eldest of Mr. Earp's children stated that he had told her and the

other children to go along the hedge, where they would find plenty of birds' nests, whilst he carried off Elizabeth and Martha towards the pit. Suspicion of his having drowned the children, therefore, was strongly excited, and, as a coroner's inquest was to assemble on the following day, the constable thought it right to take the prisoner into custody. He therefore conveyed him to the house where the jury were to sit, and whilst there, he made a statement of the manner in which the children had got into the pit or pond. Before, however, he made that statement, a farmer, who assisted the constable in taking care of him whilst in custody, told him to kneel down, which he did. The farmer then told him he had a serious question to put to him, and he expected he would tell the whole truth in the presence of his God. He then proceeded to interrogate the prisoner, who told him, in reply to his questions, that he had taken the children to the bank of the pit, and there put them down, whilst he went to pluck flowers, called ladies'-smocks, for them, and when he returned found they had got nearer to the bank. He ran towards them to give them the flowers, but endeavouring to pass between them and the bank, he stumbled over Bessy, when his left foot caught her and then Martha, and sent them both into the water.

Before this statement was repeated, Mr. Wilmore objected to its being received in evidence, on the ground that it had been extracted from the prisoner under circumstances calculated to produce an undue influence on his mind.

Mr. Justice Gaselee, after ex-

amining the authorities on the subject, promised to reserve the point for the opinion of the judges.

Several statements were proved to have been made by the prisoner to different persons, in all of which he admitted having been the cause of the children falling into the pit. In one instance he described them as "floating about in the water like blind puppies:" and, in another, he stated they had swam about like fishes, and he had endeavoured to get them out with a stick. He also admitted in two instances that he had done it through spite to the Smiths for having brought him back when he ran away, and for having insulted him.

The prisoner said nothing in his defence; but his step-father gave him a good character, and said that he had constantly intrusted him with the custody of his own children, and that he had always taken good care of them.

The learned judge having summed up the evidence, and explained the law as bearing upon it,—the jury, after a few minutes' deliberation, returned a verdict of *Guilty*. His lordship, then, in the usual manner passed sentence of death upon the prisoner, but respited the execution, until the opinion of the judges should be taken on the point of law reserved.

31. MURDER DISCOVERED EIGHTEEN YEARS AFTER ITS COMMISSION.—*Bury St. Edmund's*,—Samuel Brown, aged eighty, was indicted for the wilful murder of James Ayton in the year 1817.

Mr. Ayton was an innkeeper, and possessed considerable property in the neighbourhood of Woodbridge, in Suffolk. About

10 o'clock on the night of the 8th of October, 1817, a tradesman residing in that town, named Hurd, was returning home on foot, and when he arrived at a place called Drybridge Mill, he met the prisoner running fast. Hurd went on, and in the road opposite the garden of a Mr. Howard, he found Mr. Ayton lying in the road, bleeding from the head, and insensible, but not quite dead. A few yards further on stood a horse saddled and bridled, and the saddle turned nearly round on the right side. Mr. Ayton had some silver in one of his pockets, and a handkerchief in his hat, which was lying two yards off, and none of his pockets appeared to have been rifled. The body of the man was put into an out-house for the night. Next morning, as he was yet living, a surgeon was sent for, by whose desire he was removed to the Swan, where he died in four hours. He never spoke from the time of his being found on the road by Hurd. Having deposited the body in the out-house, as before-mentioned, Hurd went on his way, and again met the prisoner, who had a large stick in his hand, and a dog with him, and to whom he spoke without receiving any answer. Upon examining the body after death, the surgeons found an external contused wound above the right ear, but no injury to the brain or inner bones of the head at that place. About an inch above this wound the skull was fractured from the back part of the head to the top, and there was a second line of fracture extending from the temple to the left ear, on the side, therefore, opposite to the external injury. Two pieces of bone were quite detached near the left ear, and there were two depressions of the inner table of the skull, and

three ounces of blood extravasated on the *dura mater*. It appeared, therefore, beyond all question, that the unfortunate man had been murdered. An inquest was held, and after a laborious investigation, the coroner's jury found that the man was "murdered by some person unknown." Suspicion had fallen upon the prisoner, but no sufficient proof had been adduced, and he was suffered to go at large.

One William Green, a notorious thief, was in Ipswich gaol in the month of June, in the present year, under sentence of transportation for sheep-stealing. He was very ill, and fancying himself in great danger, he sent a note to a magistrate to come and receive his "penitent confession" upon "a matter which hung very heavily on his mind." The magistrate went to the prisoner, and to him the prisoner gave the following account of this murder, which he now swore to on the trial. He was living at Woodbridge in October, 1817, and was well acquainted with Brown and Ayton. On the 8th of that month, he was returning home from driving some beasts to a fair, and at nine in the evening, he met the prisoner near Drybridge Mill, walking fast, and Mr. Ayton, on horseback, almost directly afterwards. He "shot into the hedge and hid himself," when he saw Brown coming up, as he lived in fear of him from a quarrel he had formerly had with him. No sooner was he in ambush than he saw the prisoner turn round, stop Mr. Ayton's horse, and with a heavy club give Ayton a tremendous blow upon the head, which knocked him off his horse. The prisoner then put his hands into Ayton's pockets, and afterwards ran away down the road towards Woodbridge. The wit-

ness knew of the inquest being held upon the body, but never breathed a syllable implicating Brown. About three years ago, however, he and Brown were playing at "ten pins," and having lost a pint of beer, he refused to play any more, when the prisoner struck him. Upon this the witness said to the prisoner, "Mind what you're at; you murdered Mr. Ayton, and nobody but you; I saw you, and I can swear to it." To this the prisoner replied, "Oh, for God's sake, don't say that, for it will hang me;" and so they parted; and Green never did say anything more about it till June last, when he thought he was going to die. The witness told an unintelligible story of a former quarrel with the prisoner about some pigs they had jointly stolen, in order to account for his dread of him, and to explain why, on the night of the murder, he had "shot into the hedge" in order to avoid him. It appeared from Green's own account of himself, that he was an infamous man. He said he earned his living "by getting a sixpence how he could," and stated that he had for many years carried a knife about him to cut his own throat, which he had once done, though not with any great success. His story, strange as it was, was confirmed by several circumstances, which were proved to have occurred on the night of the murder. It appeared that about nine o'clock, Mr. Ayton was at the public-house to which his body was afterwards carried, the Swan, and after getting about half-tipsy there, he mounted his horse and proceeded on his homeward journey; he seemed quite comfortable, and got upon his horse without assistance. Martha Upchurch was putting to her shutters at five minutes

past nine, and Ayton passed her house on his horse, going in the direction of Drybridge Mill, which was only a quarter of a mile distant. Brown, the prisoner, was following him up the hill. He had a club in his hand, and a dog by his side. In ten minutes, the prisoner returned, walking much faster than when he went, and having no dog with him; he got over a stile. At the time Mrs. Upchurch saw Mr. Ayton in the road her husband was with her. She gave this account at the inquest, and on the following day the prisoner called at her house and asked her husband, "what he was going to say against him to the crowner?" Upchurch replied, "I shall say what I saw;" to which Brown answered, "I shall look out for you, depend o'nt." In addition to this, it was shown that Brown went to the Queen's Head, not far from the scene of the murder, on the fatal night at seven o'clock. He left between eight and nine, and was followed by his dog, which the landlord of the Queen's Head had given him shortly before. The dog returned alone soon after nine o'clock, and made a low growl and a dismal moaning noise at the door, and was admitted, and at half-past ten the prisoner returned also. He asked if the dog was returned, observing, that "he had lost him, and was at a distance when he heard his growl, to which he could swear as well as if it was his own child." After Green had accused him of this murder lately, the prisoner went to the landlord of the Queen's Head and begged him not to hurt him, remarking that "he was as innocent as a child of the murder." The man said he should tell the truth, and the prisoner replied, "You know I was at your's

all the evening," which the witness denied, answering, "You were absent from half-past eight till half-past ten, and your dog came home alone, Brown." In order to show a motive for this murder, one Mrs. Arnold swore that two or three years before his death, she was at Ayton's house, the Dog, at Fakenham, when there was a dispute between him and the prisoner respecting a smuggling transaction. Ayton said, "You've done me an injury, Brown, and you shall not be in my yard." Brown replied, "Then depend on't, I'll happen on you another time." On another occasion, when Brown had just come out of prison, he was at dinner in the field with some other people, and one of them said to him, "You look very ill, master Brown," and he replied, "And so would you, if you'd been underground as long as I have." He then named several persons who were his enemies, and amongst them Mr. Ayton, and observed, "D—n my flesh, I shouldn't mind striking this (a large knife) through his heart, and d—n me if I don't the first opportunity."

Mr. Baron Parke, in a very elaborate and clear statement, summed up the evidence, and the jury, after an absence of some hours, returned, with a verdict of *Guilty of manslaughter*. This verdict caused the greatest surprise in court, everybody having believed that the only question was whether the prisoner's was the hand which inflicted the blow of which Mr. Ayton died; and there being no circumstances of provocation, if he did give the fatal stroke, to reduce the crime below that of murder.

INFERNAL MACHINES. — *Stafford, July 31.*—John Mount-

ford was indicted for attempting to murder Giles Lord by the discharge of fire-arms. The prosecutor was a coachman, and, on the 12th of May last, received a parcel wrapped up in brown paper. He opened it, and then found a blue paper, which he removed, and an oblong tin box, about ten inches long, and four wide, appeared, having a small wire handle. He attempted to draw the box by the handle, but it did not open readily, and as he was moving it sideways, some black grains fell out, and then a pea. He threw the grains into the fire and discovered that they were gunpowder. Something gave way in the box, and the lid came open. There were then found therein three pounds of gunpowder, and some peas, and a hollow tube, which had been soldered to the top of the box; and to the bottom of that tube some "Waterloo bang-ups" were attached. Those bang-ups, which ignite on friction, were joined to some paper containing a few grains of the powder. The box not having been opened by the use of the handle, no explosion took place. The prisoner was tenant of a house under the prosecutor, and had had some disputes with him a few days before the parcel was sent. He was not, however, then taken up, but was apprehended on some other charge, and then his house was searched. In it were found some other bang-ups corresponding exactly in the materials with those contained in the box, and some blue paper, which also resembled that in which the box had been wrapped. On the top of the box, there was a piece of a newspaper — namely, the *Leeds Intelligencer*, of the 8th of June, 1832. The remaining portion of

that paper was found in the prisoner's house. The parcel had been left by a person at a public-house called the Frightened Horse, at Handsworth. The landlady who received it could not identify the prisoner, but another swore she saw him with the parcel near that inn. A firework-maker stated, that the bang-ups were peculiar in their make, and would ignite if drawn against each other. The prisoner described himself before the magistrate as a firework-maker. His counsel contended, that this case did not come within Lord Ellenborough's Act, on which the prisoner was indicted. It was impossible to say, that this was a loaded arm, or that the prisoner had attempted to discharge a loaded arm at the prosecutor.

Mr. Justice Williams reserved this point for the opinion of the judges, but summed up the case to the jury, who found the prisoner *Guilty*. The sentence was deferred; and finally the judges held, that the case did not come within the act.

AUGUST.

1. ROYAL VISIT TO GREENWICH.—On the anniversary of the battle of the Nile, their majesties, accompanied by a great number of the nobility, and the city companies, paid a visit, in state, to the Royal Hospital at Greenwich. They went on board their barge at Whitehall-stairs, and the procession then proceeded down the river as follows:—

Thames Police.

Harbour Master.

Marine Society.

Marine Society.

Marine Society.

Marine Society.

Harbour Master.

Barge of the Cutlers' Company.

Barge of the Stationers' Company.

Harbour Master.

Barge of the Mercers' Company.

Barge of the Goldsmiths' Company (of which the king is Master).

Harbour Master.

City State Barge.

Barge for Band, which was led by Mr. Harper.

Vice-Admiral the Hon. E. C. Fleming, Commander-in-Chief in the Medway.

Captain Sir W. H. Dillon,
K.C.H.,

Commanding H.M.S. Russell.

Sir John Hill,

Superintendent of Deptford
Victualling Yard.

Captain Warren, C. B.,
Superintendent of Woolwich
Dockyard.

Captain Ellice,
Commanding H.M. Ship
Ocean.

The Lord Mayor,

As Conservator of the River Thames.

THE KING AND QUEEN.

The Board of Admiralty.

His Majesty's Attendants.

His Majesty's Attendants.

His Majesty's Attendants.

Ordnance, with Attendants
on His Majesty.

The Principal Officers of the Department of the Admiralty.

It was nearly twelve o'clock when the royal party passed under London-bridge, but long before that hour numerous groups of eager spectators had taken possession of every spot on the sides of the river capable of affording a view of the procession. The bridges were covered with crowds, who showed their loyalty by loud and repeated cheers, as their majesties passed along. The vessels on either side, and more particularly the steamers, were splendidly decorated with flags and pennons of all nations, devices, and signals: the yards of many of them were manned; the whole surface of the river, and the decks and rigging of the numerous craft, teemed with men, women, and children; and flags were hoisted on all the neighbouring steeples. At Deptford the marines were drawn up. The boys of the Marine Society manned the yards of the *Iphigenia*, and gave three cheers as their majesties passed.

On the arrival of the procession at Greenwich, the Royal Hospital was crowded in every part from which it was possible to obtain a sight of the river. The pensioners were drawn up on either side of the hospital; the centre being occupied by a guard of honour. The state barges formed into a semicircle; and behind them were a great number of steamboats and other vessels filled with fashionably dressed company; his majesty's ship *Salamander* having her yards manned, and being decked out in all her colours. A salute of artillery from One-tree-hill announced the arrival of the royal party, who, on landing, were received by admiral sir Thomas Hardy, governor of Greenwich

Hospital, sir Jahleel Brenton, and the officers of the Royal Hospital. His majesty immediately afterwards went and inspected the veterans of the Nile, amounting to 106 in number, who were drawn up on the lawn. The king kindly addressed himself to them, remarking upon the bravery which had been displayed upon that great occasion. His majesty also went to the wards on the western side of the hospital to see three seamen who were the sole survivors of captain Cook, but who were unable, from infirmity, to join their companions on the lawn. The royal party then proceeded to the hall, and inspected the naval picture gallery, and from thence went to the lion-ward, in which is the figure-head of a lion of the ship in which Lord Anson sailed round the world. The king passed from the governor's house to the Council-room, where his majesty received the parish authorities of Greenwich, who had come in procession with an address.

5. EXPLOSION OF THE POWDER MILLS AT HOUNSLOW.—On the morning of the 5th, the powder mills belonging to Messrs. Curtis and Harvey blew up, and two men who were at work in them were killed. Not a vestige of the mill remained. The large wheel, and every part of the building, had been impelled to a considerable distance; several trees had been flung down, and the boat by the side of the mill shattered to pieces. The bodies of the men were driven in opposite directions a long way off. The effect of the shock was to injure every erection, while the report was heard all round the country to the distance of several miles. The two deceased men had

gone to their work about 6 o'clock that morning, and immediately proceeded to the corning-mills, in which the second process of the manufacture of gunpowder takes place. They were never seen alive afterwards, the explosion having taken place about half-past eight; and as they were the only persons in the mill when it occurred, no information could be obtained as to the cause of the accident.

6. MURDER IN IRELAND.—*Galway*.—Michael Ryan and Thomas Collins were tried for the wilful murder of Honora Ryan.

Patrick Hession, on the second or third of February, found a woman's cloak, and brought it home. There was blood on the cloak.

John Atkinson, on the morning of Tuesday, went out on a search three-fourths of a mile from Dunmore. Saw a man with a bundle of clothes, a cloak and a gown. There was blood on the gown. Gave them to the policeman. On searching, saw a human body in the river. Its head was cut off. Found the head twelve yards above the body, lying in the centre of the river; took it up by the hair, and upon examination found a hole in the left side, and a black band about the head; saw the head fitted to the body; the neck was shrunk and would not fit; knows it to be the body of the woman; found a small pair of shoes; saw the blood thirteen or fourteen yards from the river; the ground was wet with it; it appeared in three several places opposite to where he found the body; saw wool between the teeth, was present when the remains were recognized by the wife of one of the prisoners; this was on

Tuesday; the coroner was sent for, and swore the jury in the evening of that day; saw a dark gray cloak.

Felix M'Donnell lives at Park, in this county. One of the prisoners lived in his service, the other half a mile from him; knew Honora Ryan; saw her the last time in January last; saw her dead on Thursday, the 5th of February, in Dunmore. He instantly recognized the remains to be those of Honora Ryan, by the features and by the gown she wore. She was the wife of Michael Ryan, the prisoner. Ryan saw the remains at Dunmore; he thought it was his wife; I had no doubt, and thought he should have much less; he then said it was; Ryan said he had not seen her for three weeks, but afterwards acknowledged to have seen her within ten days. He refused to come to Dunmore; I brought him in; cautioned him not to tell me anything that would condemn himself; he said the rest of the servants were out, but that he was within that night. The distance was five miles from where the body was found to my house. The police arrested Collins and the rest of my servants; called in prisoners one by one; Collins begged of me to let him go; Ryan and his wife lived on bad terms; he told me he never would live with her; he wished she was dead and damned; that he was compelled to marry her.

Mr. Hosty, the coroner,—Received the declarations from Mr. Tully; duly cautioned the prisoner against saying anything that would tend to criminate himself; read them over for the prisoner; he acknowledged that they were all right;

the prisoner signed them in witness's presence; he (witness) and other gentlemen then subscribed their names to this voluntary confession; the prisoner's declaration was read; he acknowledged his guilt,—it also affected the other prisoner; Collins denied the truth of it, upon which Ryan said, "You can't deny the fact, as I never would commit the deed, were it not at your instigation." Collins persisted in his denial.

A long discussion took place between counsel on both sides. The judge said he would take care that it should not be considered conclusive. The judge then asked the prisoners, if they wished to say anything, as the court and jury were ready to hear them. Ryan said he knew not what he was about when he made that confession; that he was taken in by the gentlemen. Collins the other prisoner, strongly before God protested his innocence. After a long charge from the judge, the jury retired, and, after remaining some time in the room, returned with a verdict of *Guilty*.

7. PRESENTS TO HIS MAJESTY FROM THE KING OF OUDE.—The duke of Argyll, East Indiaman, from Calcutta, discharged a cargo of valuable and costly presents from the king of Oude, in the East Indies, to our sovereign, which had been intrusted to the care of the commander of the ship. They consisted principally of articles of domestic use, amongst others, a bedstead said to be of solid gold, and a table, of the same precious metal. There were also two massive chairs of solid silver. The whole was got up in a manner which would do credit to the first-rate English artificers,

being richly chased and ornamented with curiously wrought and carved figures. There were also two elephants, two Arabian horses, and two dwarf buffaloes. The elephants, which were male and female, were of a peculiarly small breed, and not yet full grown being only in their eleventh year. They were accompanied by attendants, natives of the East Indies, clothed in oriental dresses of scarlet and gold. The male elephant was removed to the Surrey Zoological-gardens, and the female was removed to the Zoological-gardens in the Regent's Park. The dwarf buffaloes were about the size of the common hog of this country, beautiful creatures, and, as a curiosity, unique. The whole of the presents, among which were many valuable shawls, were estimated to be worth 80,000*l*.

FIRE IN WANSTEAD-FLATS AND CLAPHAM COMMON.—In the beginning of August, the soil in Wanstead-flats was discovered to be on fire. The fire was supposed to have originated from some gipsying party, who had been enjoying themselves amongst the under-wood, and had neglected to extinguish their fire, or permitted ignited tobacco or burning ashes from their pipes to fall amidst the dry grass. The long continuance of dry weather had rendered the soil easily combustible, and now contributed to support the conflagration, which continued for several days. In consequence of application to government, a company of sappers and miners was marched from Woolwich, and prevented the farther spread of the fire by digging, round the spot where it was raging, a trench five

feet wide, and half a foot deep. Before this could be accomplished, however, twenty acres of pasturage had been destroyed. On the twenty-second, a fire broke out in Clapham Common, which for some time raged with considerable fury, and threatened destruction to a number of elegant villas adjacent. By the activity of the inhabitants, aided by a body of the police, it was got under, but not before nearly two acres of brushwood and furze were burnt down. It was extinguished by cutting away the wood and furze surrounding the flames. The fire was believed to have been the work of an incendiary, as it was the third time that the common had been on fire within a few weeks.

20. EARTHQUAKE IN LANCA-SHIRE.—A shock of an earthquake was felt in different parts of the county of Lancaster. At Clithero there were two shocks. The first occurred about twelve o'clock at night, and produced only a slight vibration. About half past three in the morning, a rumbling noise, like distant thunder, was heard, which was instantaneously followed by a violent shaking of the doors, windows, and furniture of all the houses in the district; many people leapt out of their beds, and some rushed into the street. It was felt at Downham, Wiswell, Pendleton, Milton, Waddington, and all the surrounding villages, at Blackpool. At about twenty-five minutes to four o'clock the inhabitants were disturbed by a violent tremulous motion, and the sensation of heaving or rising and falling of the bed on which they lay, which was followed by a distinct noise resembling distant artillery. It was felt in Liverpool,

and was violent at Lancaster, where it threw down a chimney in Bridge-street, but without doing any serious mischief. It was also felt with considerable violence at Ulverston, Kendal, Garstang, Preston, and Blackburn, where it caused great and general alarm.

The shock was felt very forcibly in Preston at about twenty-seven minutes before four o'clock. The noise produced by the internal thunder was likened to the sound of some heavy piece of artillery being dragged very rapidly over a pavement; and the whole duration of the shock to the latest vibratory motion produced by it was not less than thirty seconds.

21. LIVERPOOL,—James Barlow was indicted for the wilful murder of his wife, Priscilla Barlow, at Bury. The prisoner, who had been for some months separated from the deceased, came to the house where she was then lodging, and a long conversation ensued between them, he pressing her to return and live with him, and she stedfastly refusing. He then went out, and after a short time returned with a paper containing a statement of his earnings, which he offered to the deceased, who, without looking at it, threw it into the fire. He immediately seized her, threw her down, and with a knife which he had prepared for the purpose, stabbed her several times in the neck. A woman, who was in the room at the time, gave the alarm, and several neighbours rushing in rescued her from the prisoner; she, however, died in a few minutes. He attempted to escape, but was apprehended at a short distance from the house. When taken, he said that he had only done what

he had intended to do, and made no resistance whatever. He himself stated, that he had bought the knife for the purpose three weeks before the deed was perpetrated. On the day in question he set out from his lodgings in the morning, and had gone several miles, before he discovered that he had left his knife at home; he then went back and took it with him. The cause of the murder seemed to be an unfounded jealousy which he entertained towards another relation.

For the defence, several witnesses endeavoured to prove the insanity of the prisoner. They stated, that he had, while quite a boy, received an injury in the head, which rendered him at times incapable of knowing what he did. He was generally sane in appearance, and bore the character of a quiet well-conducted man. In consequence of the fits of insanity to which he was subject, he had been confined in the workhouse of his parish, by order of the overseer, and also in a lunatic asylum. One of the surgeons of this establishment gave it as his opinion that the prisoner was not of sound mind, and mentioned many circumstances in his conduct which had confirmed his opinion. He was, however, oftentimes, and indeed always, except when these fits occurred, sober and rational in his behaviour. He had several times seen him under strong excitement, and he had signed a certificate of his insanity. He had been twice consulted regarding him, once in 1828, when he was confined for several weeks, and again in 1833; in both cases the symptoms were the same, but in the latter their violence had greatly diminished. The principle feature in the prisoner's insanity was

VOL. LXXVII.

his unfounded jealousy of his wife. He mentioned several schemes which he had formed to detect her, which displayed much ingenuity. From the evidence that he had heard, he should think that the murder had been perpetrated, while the prisoner was labouring under one of those fits of insanity to which he was subject.

The jury, after an absence of five hours, returned a verdict of *Guilty*; and sentence of death was pronounced upon the prisoner.

23. FIRE AT BARNET.—A most destructive fire broke out about twenty minutes before four o'clock this morning, Sunday, in the very heart of the town of Barnet, which consumed several houses, with warehouses and factory buildings containing property to an immense amount.

The fire commenced in the tall-melting warehouse of Mr. Benjamin Smith, opposite the Market-house, in the High-street, and thence the flames spread with such terrific fury, that the inhabitants, as the only chance of saving the lower part of the street, towards which the wind carried the flames, determined on pulling down several small connecting tenements built up of wood and plaster. This work had been considerably advanced, when the engines arrived. By this time the water-carts and barrels of all the gentry of the neighbourhood were actively employed, as well as those belonging to the town, and the supply was tolerably abundant, so that the engines were able to work with good effect, and by nine o'clock had happily so pent in the flames, that the danger of their further spread had ceased. Three huge fat-boilers continued,

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with the tallow warehouse, to send up vivid streams of fire till late in the afternoon. There was a quantity of gunpowder on the premises of Mr. Benjamin Smith, but the greatest part was got out.

24. LAKE OF GENEVA.—The jubilee of the Reformation has been celebrated at Geneva with appropriate solemnity and genuine popular joy, which was not a little promoted by the presence and participation of many distinguished clergymen from Switzerland, Germany, France, England, Scotland, and even North America. After the hospitable reception of these worthy strangers at the harbour and in the botanic gardens, they were conducted on the 21st, in the afternoon, to the houses of the persons who had offered to accommodate them. On Saturday morning, the 22nd, there was a grand general ecclesiastical conference, in which several Swiss and foreign clergy spoke of the great importance of religion and general protestantism, as it is now understood by the church of Geneva, contrasted with methodism in that city. In the afternoon there was in all the churches a distribution of the jubilee medals (executed by M. A. Bory, a Genevese, settled at Paris), and of an historical essay on the Reformation at Geneva, expressly written for the occasion by the rev. M. Cellerier, which were given to all the children of Geneva and the environs, from seven to fifteen years of age, without distinction of the rank or circumstances of the parents. These children then proceeded to the neighbouring extensive garden, where they had dancing and other amusements. Sunday, the 23rd, was properly the day of jubilee. It was ushered in by the ringing

of the bells, after which there was divine service in all the churches, which were handsomely decorated for the occasion. In the evening there was a concert of sacred music in St. Peter's church, which was finely illuminated. As soon as it grew dark the general illumination of the city began, which was remarkably fine, especially on the quays, and in what are called the Rues Casses, which were so remarkable at the commencement of the Reformation in Geneva. A mass of at least 30,000 citizens, country people, and strangers, thronged the streets, quays, and squares of the city, without the slightest disorder or confusion. On Monday, the 24th, there was another ecclesiastical conference, then a grand entertainment to the foreign guests, and afterwards an excursion on the lake. The catholics in Geneva and the neighbouring communes were so far from endeavouring to disturb the festival, that many took part in it by illuminating their houses.

26. FALL OF THE DENT DU MIDI.—A considerable portion of the principal peak of the Dent du Midi, one of the great spurs of Mont Blanc, fell with a tremendous crash into a deep and narrow valley, situate about a league to the eastward of St. Maurice, on the road to Martigny. An accident of a similar nature occurred in the year 1818, when no less than 400 houses were washed away. In this recent instance the peak in its fall carried with it a glacier, which, filling up the valley, dammed up the stream which ran through it, until it had acquired sufficient force to drive before it the whole mass of earth and rocks into the bed of the Rhone, the course of which be-

came so completely barred, as to dry up all below it, and convert the upper part of its rugged and rocky course into a sort of temporary lake. On the fourth day after the fall of Dent du Midi, this extraordinary interruption to the course of the Rhone still continued, disturbed from time to time by intermittent bursts of the growing flood across the barrier, the recurrence of which was so uncertain as to deter the approach of the curious. It was not known that any lives had been lost, but the passage across the Alps by the great Simplon road was for a time cut off. An attempt was immediately begun to re-open the communication by a temporary road, which was to describe a considerable circuit.

—THE COMET.—During the present month all the astronomers of Europe were anxiously looking out for Halley's comet, so called because that philosopher had first calculated its orbit, and foretold its periodical return. About 76 years, the estimated period of its revolution round the sun, subject to disturbance by the influence of the heavenly bodies among which it might pass, having elapsed since its last appearance in 1758 and 1759, its return was eagerly expected, as a beautiful illustration and confirmation of the powers of astronomy. The first notice of its approach was from the Observatory at Rome, whence it was discovered on the morning of August 5th, near the star Zeta, in Taurus. Its light was described as being very faint, much resembling that of Biela's comet. Early on the 21st, it was seen from the Royal Observatory at Naples, "very faint, its form indistinct, and its appearance nebulous." On the 22nd, it

was detected at Berlin, by M. Kunowski, and in the following night it was repeatedly seen by M. Kunowski and professor Encke, who described it as "a very faint nebula, not visible in a Fraunhofer comet-seeker, and with difficulty to be perceived in a four-foot achromatic telescope." On the 23rd, sir James South discovered it from the Greenwich Observatory, when it was still an extremely fluid nebuloid body. On the 24th, it was seen from Leyden by professor Kaisen; on the 30th from the observatory at Dublin, and on the 1st September from the Royal Observatory at Turin.

SEPTEMBER.

2. DARING BURGLARY, AND A ROBBER SHOT.—On Wednesday, the 2d instant, at precisely 10 minutes past one A.M., Mint-house, in the parish of Chipstead, Surrey, in the occupation of two widow ladies, Mesdames Long and Scofield, was attacked by a gang of burglars. The ladies in their bedroom invariably burnt a rushlight, and at the time above-mentioned they remarked that they thought the wind blew fresh; but Mrs. Long, hearing the yard-dog bark violently, went into the bedroom of her nephew (capt. Ranken), and told him how uneasy the dog appeared, when he gave it as his opinion that some poachers were about, and got out of his bed, opened his window, and spoke to the dog, who still continued to bark with increased violence. Mrs. Long then returned to her room and to bed, and was covering herself over, when she thought she heard a tap at the window of her room, on which she instantly jumped out of bed, demanding who was

there, and looking through the window, she saw a man elevate an immense stick, and make a blow at the window, which immediately smashed seven panes of glass and the window-frames likewise; he then made three desperate blows at the window; the last time Mrs. Long caught hold of the foldstake, and said, "Oh, you villain!" She wrestled with him for some moments, but he at last got the stake from her hand, and then aimed a desperate blow at her head, which it cut severely, and the blood flowed freely; the stake then descended and bruised her hand and cut it considerably.

Mrs. Long immediately ran and called her nephew, crying out that thieves were in the house. Captain Ranken took down his cutlass from the bed-side and ran into the ladies' room; the fellow was at the outside of the window, with a foldstake shoved into the room. captain Ranken made four cuts at the foldstake; the fellow drew back, when, advancing to the window, captain Ranken made a cut at the thief, who drawing back descended the ladder.

Captain Ranken's fowling-piece was below in the parlour, and as he considered it necessary to guard the breach the fellow had made, Mrs. Long with great resolution descended the staircase and brought up the piece and ammunition, which was charged with No. 5 shot and capped; hearing the men talking under the window he fired in the direction of the robbers; this repulsed them for half an hour; in the mean time captain Ranken reloaded his piece with the only shot upstairs (No. 9), and placed a double charge in it. At last the front door was burst in, and the inmates, still upstairs,

heard distinctly the door opened; the men then went into the two parlours and broke open the sideboard, took out two bottles of wine, which it afterwards appeared they drank outside the house, ransacked the drawers, and took from the sideboard four cruet-stands, two plated pairs of snuffers and stands, four pairs of silver-plated candlesticks with silver edges, and the silver cruet-tops, two egg-stands silver-edged, and gold-washed inside the cups, nine silver gilt egg-spoons, and a rifle-green tunic, the property of capt. Ranken. After the lapse of about half an hour the inmates heard one fellow say, "Now let us go up stairs." Captain Ranken had resolved, from the outset, to take up his position on the left-hand side of the landing-place at the door, expecting the lower panel would be burst open.

Up stairs the fellows came, and summoned the inmates to surrender. Mrs. Scofield begged of them to show mercy to two widow ladies; they replied, "If you will give us 50*l.*, we will go away, or otherwise we will murder you."

About five minutes were occupied by the two ladies in imploring mercy of the robbers; in the interim captain Ranken had ascended the staircase to take aim through its balustrades, and pointed his piece at the fellow who was prepared to smash in the door, but upon reflecting that, in the event of his missing his aim, he had no immediate defense, save his cutlass, he descended and took his position on the left of the staircase door, sheltered from their view by the bulkhead of the staircase. The ladies were imploring mercy of the robbers, when presently the ring-leader said, "Now for it," and

with his foot smashed in the lower panels and styles, when captain Ranken fell on his right knee, and thrust his piece through, to within three inches of the robber's right breast and fired. The whole of the charge entered the fellow's right breast; he staggered, and fell into the arms of two of his comrades, who immediately decamped with their wounded companion.

The inmates then found the yard-dog ceased barking.

Upon descending in the morning they found a hat and handkerchief in the hall, and the stairs were marked with spots of blood; the gravel walk was in two places bloody, and the streaks remained of the wounded man's legs, where his legs had trailed along, as they bore him away.

7. THE CHOLERA AT LEGHORN.—A letter from Leghorn of the 3d instant, has the following statement:—"It is scarcely possible to imagine the disasters occasioned by the cholera. All commerce and industry is completely annihilated. The disease is invariably fatal; fifty or sixty are carried off daily. Most of the families in easy circumstances have quitted the town, and such as remain have shut themselves up in their houses as in a time of plague. Provisions are collected for a consumption of three, and even six months, in some instances, and all communications with their most intimate friends are interrupted. The daily supplies of meat, water, and other provisions, are put in by the windows, and are even raised to those of the third and fourth stories. Those who take snuff are obliged to deposit their money and their snuff-box upon a long plank, which passes into the shop window of the dealer, who immediately

dips it into vinegar, and returns the snuff by the same conveyance. The eating-houses, coffee-houses, and shops are closed. Foreigners are in want of necessaries, or pay for them enormously high. Two physicians have been carried off, and four have abandoned the post of honour to fly from the scene of desolation. An edict from the Duke of Lucca not only excludes from his states persons from Tuscany, but expels those who have arrived within six days of the date of his decree."

— MURDER OF A CHILD BY ITS FATHER.—An inquest was held on the body of Henry Stanynought, jun. Mr. Edgar Barker stated, that he was a surgeon residing at No. 40, Edge-ware-road. About half-past eleven on Friday morning he was requested to hasten to the house of Mr. Stanynought, in Connaught-terrace. He went immediately, and found Mr. Stanynought in bed, with his shirt covered with blood, and on the same bed was lying the dead body of his child, the deceased. Having ascertained that the blood issued from a wound on the left side, and that it was not of an immediately dangerous nature, he asked him what had caused the death of his child? He said, in a perfectly quiet manner, that he did it with his own hands; that he had meditated destruction to himself and child some length of time; that he had burnt charcoal-fire in his room for two successive nights, for the purpose of effecting that object. On Thursday night he had taken laudanum, but having failed to accomplish his purpose by these means, he had struck the boy with a boot-jack on his forehead, and smothered him by placing a pillow over his head.

The body of the child was lying with the face towards the bed, and a deep cut in the centre of the forehead, which had done no other injury beyond dividing the integument. He did not think that the wound on the forehead was sufficient to cause death; the boy had doubtless died from suffocation. He had no doubt that the father of the deceased was in a state of insanity.

Mr. John Finch, of No. 6, Winchester-row, Marylebone, school-master, stated that deceased was one of his pupils. He saw the deceased for the last time at nine the previous evening, in the shop with his father. Witness had been conversing with his father for about an hour previous to the time he spoke of. When he left the father, he asked him to come over and sup with him, but he excused himself, saying he had been to Kilburn, and had drunk some gin and water, which had upset him—these were his own words. The next morning, about half-past eleven, a boy in the employ of Mr. Stanynought, named Stacey, came into the school-room, and said that his master wished to see him immediately. He went over, and saw the shopman in the shop, who said he thought there was something the matter upstairs. He had been desired to send for him. He ran up stairs into the back-room on the second floor. He found the door a little open. He knocked, and Mr. Stanynought, in a very agitated tone of voice, said, “Don’t come in—pray don’t come in. I shall shock you!” These words he repeated several times; upon which he said, “Pray let me come in—are you ill, what is the matter?” He then went into the room, and found him in bed, with his son be-

side him apparently asleep. He took him by the hand, and begged him to tell him what was the matter. He said, “I can’t tell you, I dare not tell you, I shall shock you so.” He entreated him to tell him, that he might relieve him, and asked him if he should fetch a medical man. He said it was of no use, that he had killed his poor boy, that he had wounded himself, and that he was dying. Witness said, “Whom shall I get?” He then pointed to a knife and three letters on a chair, and said that was the knife with which he had done the deed. He begged witness to take the letters, and give the one to Mr. Barker, the surgeon, and the other to his wife. The moment he saw the knife he snatched it up, and also a razor, and put them both into his pocket. He immediately ran for Mr. Barker, and gave him the letter.

One of the letters was directed in the handwriting of a friend of Mrs. Stanynought. The other he now produced. It was read by the clerk, and was as follows:—

“My dearest Lucy,—I pause in my last moments to beg of you not to give way to despondency. This is the happiest moment which I have ever known. My poor little boy is doomed to suffer all the misery of his father, his grandfather, his great-grandfather, and his great-great-grandfather, before him. This has been the chief cause of my misery. I never knew what it was to be happy, but have always suffered from desponding misery. It is my own nervousness, beyond what I ever saw, that has destroyed me beyond redemption; and you never knew the hundredth part of my sufferings:

“Adieu, adieu, my dear, dear wife,
“H. STANYNOUGHT,”

He returned to the house with Mr. Barker, and discovered that the son was dead, and that the father was lying bleeding from the side. Mr. Stanynought said, "how could I do it?" and then added it would be a mercy for any one to destroy him. In answer to a remark, "that it was an awful crime," he said "I know it, I know; oh, yes it is." Witness and Mr. Barker removed the body of the deceased child. He (witness) afterwards told him to think of his soul, and to pray to God. He said he had done so; he knew that God was not angry with him; and then added, "why should the Almighty thus afflict me?" He said he had saved his son from ruin; he would have been miserable for life, as his father and grandfather had been. He also said that his grandfather had died in a madhouse. He spoke in a rambling manner—one moment he said he had done "a worthy deed," and the next he lamented, saying, "how could I have done it?"

Coroner.—Did you observe any symptoms of insanity during the hour's converse you had with him on the Thursday evening?

Witness.—Not the least.

Mr. Barker produced the letter addressed to him by Mr. Stanynought. It was as follows:—

"Dear Sir,—The great faith which both my wife and myself entertain of your professional abilities must be my apology for soliciting your attention at the present moment. My last request is, that you will cause my fate to be communicated to my wife with that caution and prudence her present situation so particularly requires. My severe sufferings rendered life painful to me, and

you, as a medical man, must know that without health life could not be otherwise than painful.

"Yours, truly,

"HENRY STANYNOUGHT.

"Wednesday evening."

The Jury pronounced a verdict of wilful murder; but added, that they entertained a strong suspicion that at the time of committing the act, Mr. Stanynought was labouring under mental delusion.

DEATH FROM EXCITEMENT.—

The death of the boy Stanynought was followed by the sudden death of a Mr. Bales, an auctioneer, who lived next door to Mr. Stanynought and had been for many years on very intimate terms with the family of this unfortunate man. On the inquest, Mr. George Webster, a surgeon, deposed that, about, half-past three o'clock on Monday morning, he was called to the deceased's house, where he found him lying in bed, undressed, and dead. The body was in a state of excessive congestion of the brain, the heart, and likewise of the lungs, with a considerable effusion of blood into the ventricles of the brain. The deceased was predisposed to apoplexy.

Mr. Henry Tidd breakfasted and dined on the Sunday with deceased at his house, and did not leave him till five o'clock in the afternoon. He had been well and cheerful throughout. Witness was sent for by Mrs. Bales early on Monday morning, and on arriving found Mr. Bales dead. Mrs. Bales told him that her husband had been suddenly awoken about two o'clock in the morning by the house-dog, which forced itself into the bed-room; that the door, falling back against the washing-stand, caused a loud noise; and that the deceased instantly jumped up in

bed, and pointing to the extremity of the room, exclaimed, "Ellen, Ellen, see, see how he glares upon me." He then fell back, and instantly expired.

The jury returned a verdict "that he died of apoplexy, brought on by mental excitement and fright."

8. YORKSHIRE MUSICAL FESTIVAL.—The first performance at the Minster took place this morning. Their royal highnesses the duchess of Kent and the princess Victoria were conducted by the archbishop of York and the dean of York to the seats prepared for their royal highnesses, and on their appearance an expression of enthusiastic feeling broke forth. The performances were continued for the three following days. The number of persons who attended the morning performances at the Minster were on Tuesday, the first day, 3,377; on Wednesday, 4,025; on Thursday, 3,901; and on Friday 3,383. At the ball on Monday evening there were 635 persons; at the concert on Tuesday evening, 775; at the concert on Wednesday evening, 1,899; and the concert of Thursday evening was attended by the same number as that of Tuesday evening—namely, 775. The total amount of the receipts exceeded 16,000*l.*, exclusive of a donation of 100*l.*, from the duchess of Kent to the funds of the festival and other gifts.

9. LOSS OF LIFE IN GOING ON BOARD A STEAM BOAT.—An inquest was held at Gravesend, on the body of the hon. Mrs. Petre, the lady of the hon. C. Petre, brother of lord Petre who met with her death in consequence of fright, in being immersed in the water on Friday last, when she was about to embark for Margate in the Magnet steamer.

Thomas Slater deposed, that he was a ferryman in the employ of Mr. Creed, the lessee of the Tilbury Fort and Gravesend ferry. On Friday he was engaged by Captain Petre to take him, the deceased, and her two children, with the maid servant, on board the Magnet steamer. It was between twelve and one o'clock at noon, and witness hailed the Magnet when at some distance from her; she "eased," and witness rowed up on the larboard side. Captain Jones of the Magnet, was standing on that side, and directed a rope to be thrown into witness's boat, which was done, but the rope was let go by those on board. At that moment the paddle struck the boat's side, and she filled immediately and went down. The whole party were precipitated into the stream. Witness was picked up by the people on board the steamer. The steamer was not stopped at the time, but the wheels were moving slowly.

By the Jury.—There was some luggage in the boat. The children appeared to be from seven to nine years of age. When the deceased was taken into witness's boat, she appeared to be suffering from illness. Witness was not a regular waterman; he had been bred a fisherman, but had been in the employ of Mr. Creed, as a ferryman for twenty-four years, and was in the constant habit of taking passengers to steam-boats. The accident occurred about the time of high water. Witness did not think there was any blame to be attached to the master of the steamer, but thought there was time, after hailing the vessel, for the Magnet to "stop dead." Captain Jones called out to keep astern.

John Edwards, also a ferryman in the employ of Mr. Creed, was with the last witness when the accident occurred. They first hailed the Magnet, when she was taking up passengers from the Kentish shore. The Magnet then went on, and they rowed to meet her, and overshot themselves, going in front of the paddle-wheels instead of astern. The whole of the party were picked out of the water and taken on board the steamer, they were in the water about two minutes and a half.

Frederick James John Warren, surgeon, deposed that he was called to the deceased on Friday, and found her suffering from the effects of immersion in the water. She appeared exceedingly cold, and had much difficulty in breathing; the next day she was better. On Sunday morning he found her dying; witness believed her death was occasioned by cold and fright.

Joseph Jones, the master of the Margate steam-packet the Magnet, saw the first witness approach the steamer and called to him to keep off the paddle-box, and to go astern, but he came right in front of the vessel; witness tried to back her astern, but before this could be effected, the wheel struck the boat. The Magnet had been going only at the rate of half a knot an hour, and when the boat was struck, she was stopped. He had ordered the Magnet to be stopped, but she could not be brought "dead up", before the paddle-wheel struck the boat.

William Overdeer was on board the Magnet when the accident occurred, and was of opinion that it was entirely owing to the unskilfulness of the ferrymen.

The jury returned a verdict that the hon. Mrs. Petre came to her

death by the accidental sinking of the boat in which she had embarked to go on board the Magnet, which however they believed to be occasioned by the unskilfulness and incompetence of the men who conducted the boat.

11. OPPOSITION TO THE POOR LAWS.—At a late meeting of the guardians of the Steyning Union, orders were made for the removal of two paupers with their wives to Henfield work-house, and at the same time their children were ordered to be kept at Steyning. This being made known to the paupers caused much discontent, and this morning, when it was attempted to enforce the order, Thomas Moore and Benjamin Hayler, the men in question, together with their wives, refused to submit to the proposed regulation. A meeting extraordinary of the guardians was convened, and a fresh order of removal made, but no one could be got to execute it; and, the governor's life being in danger, when he essayed to quiet the inmates of the poor-house by reading them a similar order sent him to execute, warrants were issued for the apprehension of the rioters, but no one was bold or willing enough to assist the constable in carrying it into effect. He, therefore, went again to the magistrates, when Captain H. D. Goring, M. P. for Shoreham, Major Sandham, and John George Gibson, Esq., with a party of yeomanry cavalry, rode to the workhouse and requested the paupers to submit, but in vain. The magistrates then resorted to force, but got the worst of it, and were pushed out of doors. Two of their party, including Captain Goring himself, were detained prisoners by the rioters in the workhouse. The mob was now much increased in number,

and very formidable, as a good many of the men, formerly smugglers, had provided themselves with bats and wore blue badges. The inhabitants of the town generally declining to take any active part against the paupers, the clerk to the guardians went over to Brighton, about twelve miles distant, where the Chairman of the Board, advised him to make application for the military. Sixty of the 4th Dragoons having arrived at Steyning towards night, and a party of the coast blockade having also made their appearance, Captain Goring regained his liberty, and order was restored. Some of the soldiery remained at Steyning till next day.

12. EXTENSIVE ROBBERY AT GREENWICH HOSPITAL. — A special session was held at Greenwich, for the purpose of hearing evidence against a woman named Ingram, who was apprehended on suspicion of being concerned in an extensive robbery at Greenwich Hospital, of copper, lead, and pewter articles, to the value of between 400*l.* and 500*l.*

W. Sibell, labourer in trust to the hospital, stated that, on Monday, about 3 o'clock, he saw three plumbers and a labourer leave their work, and perceiving that they looked bulky, he followed them, and saw them go into the house of the prisoner; after waiting some short time, the labourer (one Williams) came out, and he asked him if he lived there; he said he did not, but his uncle did, and that he was a boat-builder. (There was a boat-builder's yard next door.) He (witness) then opened the door, and the other three came out; one of them, named Marriott, had some money in his hand, which he appeared to be counting. He did not say anything to them, but

went in and saw Mrs. Ingram, and asked her to allow him to look inside. She refused, and put her back against an inner door; she said her husband was not at home, and asked what his business was. He told her to let him see what was inside, and unless she did so by fair means, he would take others. After some further parley she allowed him to go in, when he found six pieces of sheet copper lying on the floor, weighing 105*lbs.* Having asked the prisoner how she came by it, she replied that those men who had just gone out brought it in. He then sent for the clerk of the works. There was a large quantity of copper where those men were at work, similar to that produced. He could not say that he had missed any; there was so much of it, that he could not tell if any was gone.

William Thomas, an inspector of police, deposed that he went to the prisoner's house in Thames Street, Greenwich, to make a search. In a cart-shed, which was vaulted, he discovered 3 tons, 3 cwt. of lead, and 1 ton, 11 $\frac{1}{2}$ cwt. of sheet copper, rolled up, which seemed to correspond with that taken from the roof of the hospital. In a front room there were several glazier's frames and panes of glass, merely to allay suspicion of what was going on, as Ingram pretended to follow the trade of a glazier. On making a more minute search, witness found a trap-door in this room, and on opening it, ascertained that it led to a very extensive vault, in which were deposited 25 cwt. of lead, in pigs, and 1 ton, 17 $\frac{1}{2}$ cwt. of solder run down into bars. In the back part of the premises there were 4 cwt. of short piping, and pieces of sheet lead. Many of the articles found on the premises were

identified as belonging to the hospital.

The following is a description of this receptacle for stolen property :—The house is a corner one, and at the back is a door, leading to what a casual observer would imagine to be a stable, or a cart-shed ; the door has merely a handle, so that it is impossible for a stranger to open it from without ; near the ground, however, is a brass button, and, upon pressing it down, the door immediately flies open, and closes again. This shed has a vault underneath, about 16 feet by 14, and about 5 feet in depth. In an adjoining room is a shelving trap, in order that the heavy metal might not make any noise in letting it down. The bottom of the cart-shed is covered with about a foot and a-half of earth, and beneath that the vault is roofed over with planks five inches thick. In the room adjoining is a large melting copper, which was found to be nearly full of pewter, and in a concealed trap was likewise discovered moulds for running pigs of lead, besides ladles and moulds for running bars, with all the necessary apparatus for the most extensive “fence.” Underneath the front shop is a vault of about the same dimensions as that under the cart-shed ; the whole house is undermined, and there are traps in the passage, and in nearly every room in it. Ingram had tenanted the house only three weeks, and had built the workshops and shed in the peculiar manner above described in that short space of time, without the knowledge of his landlord.

19. FIRE ON BOARD THE STEAMSHIP PERTH OF DUNDEE.— This evening about 7 o'clock, the steamship Perth arrived at Hore's steam wharf, Wapping, from Dundee,

which she left on Wednesday evening, with about 40 passengers, and a cargo of manufactured linens, and live stock. Prior to her arrival, several of the passengers, from the bustle on board, began to suspect that there was something wrong in the engine room, and their suspicions were speedily increased by a strong burning smell. This excited great fear and alarm among the passengers, notwithstanding assurances that there was not the slightest cause of danger. Shortly after she was placed at her moorings, it became evident that part of the ship was on fire. The passengers hastily got on shore, and every exertion was made by the crew on board to extinguish the fire by throwing pails of water below, until the arrival of an active body of the Thames police with the Sun floating engine alongside. The endeavours of the crew to extinguish the fire proved unavailing, and the flames burst forth with great force ; but, after plying the engine a short time, they were got under with comparatively little damage to ship or cargo. The fire originated from the coals piled around the furnaces igniting from the immense heat.

28. LOSS OF THE ATHOL STEAMER.— The Athol steamer on her voyage from Dundee to Newcastle, encountered a dreadful gale from S. S. W. on Monday evening, when about five to six miles to the southward of Coquet Island and, was struck by a tremendous sea, which laid her almost upon her beam-ends, and caused her to strain so much that the crew could not keep her free, after labouring at the pump all night. On Tuesday morning (29th), at daylight, they hoisted a signal of distress, and about 8 A. M. they perceived a

smack bearing down to their assistance. About 10 A. M. the vessel came under her lee, and proved to be the fishing smack, *Flora*, J. Scott, master, who immediately sent his boat and four hands to them, with orders to bring two female passengers and the crew, two by two at a time, on board his vessel. In this way he succeeded in saving the whole (six in number); and after remaining for about a couple of hours near the steamer, and seeing that he could not save her, he bore away for the nearest port, and landed Captain Burton and his crew, and the two female passengers.

OCTOBER.

MUNICIPAL CORPORATION ACT.

Government Circular.

Whitehall, October 1.

Sir,—I have already, in conformity to the directions of Lord John Russell, transmitted to you a copy of the Municipal Corporation Act, and of the order in council of the 11th of September. I now transmit a copy of a supplementary order of the 30th of September.

I am likewise directed to forward to you a copy of instructions which have been addressed to overseers, framed upon the provisions of the act.

You will observe that, by section 38, the existing mayor and members of the council, or governing body, are to go out of office after the declaration of the first election of councillors under this Act.

You will likewise observe, that where, by any statute, charter, by-law, or custom, any election is to take place between the time of the passing of the act and the 1st

day of May next, no such election shall take place, but every person holding office at the time of the passing of this act shall continue to hold such office till the time appointed by the act for him to go out of office. You will perceive that, by the order in council issued in pursuance of the powers given by the act, some of the days mentioned in the act are changed to other days, but, with this alteration, the directions contained in the act are to be strictly observed.

With respect to any vacancy by death, where by any statute or charter it is necessary to proceed to a new election, there is no express provision in the act which would make such election illegal, and the governing body of the corporation will take that course which the urgency of the case, or the positive directions of the charter, may seem in their judgment to require.

The provision in section 30 of the act, that, wherever any day appointed for any purpose shall happen on a Sunday, the business shall be done on the Monday following, must be construed as equally applicable to any days appointed by the order in council of the 11th ult.

I am directed to request, that, so soon as the declaration of councillors has been made, you will signify to the new councillors, that within five days they must make and sign the declaration mentioned in section 50. You will likewise take the precaution to call their attention to section 51, whereby the fine for non-acceptance of office is made in some degree discretionary with the council.

I am likewise to request, that in case your borough is in schedule

(A) of the act, you will make it publicly known to the new council, that any recommendation which they may think fit to make of persons qualified to be intrusted by his Majesty with the commission of the peace for the borough of which they are the governing body, will have its due weight with the advisers of the crown.

I have the honour to be,

Sir, your obedient servant,

S. M. PHILIPS.

“The Mayor or Chief Officer of
———.

2. An atrocious crime was lately committed at St. Marie, near Beaune, in the Côté d'Or. Some days ago, the members, the head, and part of the body of a female were found in the river, but the face was so much disfigured, that although almost every inhabitant in the village went to view the remains, no one could recognize the person of the deceased. On the day of the discovery, one of the villagers met the rector, and, informing him of it, asked him to go and see a body which had just been taken out of the water, without stating its condition; but the priest became greatly agitated, and replied that he could not bear to look upon a spectacle so hideous. Though he was on his way to a funeral at an adjoining village, he immediately returned to his house, took his cane, and instead of going where he intended, disappeared, and was not heard of for three weeks. His servant, on being interrogated as to his absence, said, that he was gone to see his relations at Villefranche, near Lyons, and would be back in a few days. His long-continued absence led to suspicion. Search was made, and in the rectory was found the name

and address of the supposed victim, and her clothes, marked with the letter B. These suspicious circumstances were strengthened by the finding of a pair of pantaloons stained with blood. The inhabitants of the village state that a female, calling herself the niece or cousin of the rector, and known to be a milliner at Lyons, where he was for a long time vicar, had come to pass eight or ten days with him; her person was known to them, as she constantly accompanied their pastor wherever he went, but it was impossible to identify the remains found. She was seen with him at the latter end of August, but then disappeared. The rector's servant could give no account of the visitor's departure from St. Marie, as she herself happened to be absent for several days at the time when the crime is supposed to have been perpetrated. A warrant was issued for the arrest of the priest, and he was taken at Lyons, just as he was getting into the diligence for Geneva.

7. FIRE AT THE PENITENTIARY, MILLBANK.—A little before 7 o'clock, the inmates of the Penitentiary, Millbank, were alarmed by a report that a fire had broken out in the laundry, by the windows of which a body of smoke was seen rushing out. Every exertion was made to extinguish the flames; but they soon communicated to the walls, which consisting of light materials, they spread with the most alarming rapidity, and communicated to the various parts of the building on the north side, so that fear was entertained that the whole of the place would be destroyed. The inmates of the infirmary were removed to the chapel for safety, and the other prisoners were se-

cured in other parts which appeared not to be in immediate danger.

Shortly after the commencement of the fire, numerous engines arrived and were stationed in the surrounding space; and although the edifice is surrounded by a moat, and contiguous to the river Thames, there was, for a considerable time, a great scarcity of water. The cries of the prisoners could be heard previous to their removal; and everything was done for their safety, and to appease their fears.

By 8 o'clock, the conflagration arrived at such a pitch, that it was the general impression that every part of the prison would shortly be a scene of devastation. Many parts of the interior consist of dry wood, and the wind being in an easterly point, it drove the flames in the direction of the chapel, where numerous prisoners were placed, and the greatest fears were entertained for their safety. The ignition of one of the pentagons was rapid and threatened to reach every part of the establishment. At length it was determined to pull down several triangular parts of the building to prevent the spreading of the flames; and a strong body of workmen proceeded to the roof, and with pickaxes, saws, and other implements, commenced operations at the risk of their lives.

By 9 o'clock, the female side of the prison was nearly in one blaze, and the men were ordered to break down the part of the building adjacent to the chapel in order to preserve it. The Governor's house, too, was threatened. The roofs of the various apartments fell in with a tremendous crash at about 10 o'clock, by which time the fire had considerably increased. It was not till 11 o'clock, that the progress

of the flames was checked; by half past 12 o'clock, they were considerably got under; but the engines continued to play upon the premises with great activity.

8. Part of the roof of the coal works belonging to the Duke de Coigny, at Kilgrammie, near the village of Dailly, Ayrshire, set down; and before the men could get clear of the workings, John Brown, about 60 years of age, was entombed in this subterraneous abode during twenty-three days without one morsel of food! When entombed, he had with him a small portion of tobacco, sufficient for one day's consumption, and two small flasks of lamp-oil. Some of the latter he attempted to swallow, but was unable to do so, and the only substance he took besides the tobacco, during the whole period of his confinement, was a strong chalybeate water within the range of his prison. His mind remained quite composed, he never despaired of ultimately escaping, and his greatest anxiety was for the fate of Thomas Wason, the person with whom he had for more than two years resided, who, he supposed, had perished when the accident occurred, leaving a wife and helpless family. He calculated time by the noise made by the men at their stated periods of work. For the first and second week he moved about his gloomy cell, an area of thirty yards, seeking every avenue of hope; but latterly he became so weak as to be unable to reach his only beverage—the water. The feeling of hunger left him about the second day. When found, he was extended on the ground, and lying on his breast, his extremities cold, his voice reduced almost to a whisper, or childish treble. His dark unshaven beard, sunken features,

and glistening eyes, had given him an unearthly appearance. His fellow-labourers cautiously first lubricated his parched mouth with butter, then gave him milk, arrow-root, and sherry in small spoonfuls, at regular intervals, milk being the first thing he asked for when he was discovered. His frame had been so completely wasted by want, as to be unable to rally, and he expired without any appearance of pain.

9. EARTHQUAKE.—*Odessa*.—On the 25th of August, about 5 o'clock in the afternoon, a thick smoke arose, at the foot of Mount Ard-schek (on the side of which Kassarich is situated), from which columns of flames burst with a tremendous noise. It was like the eruption of a volcano. At the same moment the earth was felt to rock, and a terrible earthquake began. The shocks continued for seven successive hours, and followed each other accompanied with terrific thunder; people felt as if on the surface of an ocean agitated by a storm. About 2,000 houses were thrown down. Confusion and terror were at their height; the inhabitants fled into the country; several were overtaken in their flight, and buried in the ruins; 150 persons perished. Up to the 1st of September, there were three or four shocks every day; only they were far weaker, and did no considerable damage. At that time the inhabitants of Kassarich, who had taken up their abode in the fields, or fled into the villages, had not been able to return to the town. Some had attempted it, but could not stay more than a few minutes. All the villages, to the distance of above 140 miles, had suffered dreadfully. A great

number of lives were lost in them, and most of the houses were destroyed. The following are those which suffered most;—At Tanlusia 60 houses were thrown down, and fifteen persons perished. Half of the village of Izirlawchi was destroyed; the number of killed is not known, but it appears to have been considerable. At Tapirarchi twenty persons perished, and fifty-six houses were destroyed. Kirmir lost its most considerable quarter, and eleven persons perished. The village of Mantzofir is one of those that suffered the most. Only five persons saved their lives, with great difficulty. In Welekes only one house was left standing, and a great many lives were lost. Of Wekeri two-thirds were destroyed. Wersam is completely annihilated. Lastly, Kometzi was swallowed up by the earth, and a great lake has taken its place. Besides this, twelve other villages had each about thirty houses destroyed, and eight or ten persons killed.

11. THEIR MAJESTIES' VISIT TO GREENWICH.—This being the anniversary of the great naval victory achieved on the 11th of October, 1797, off Camperdown, his majesty, in conformity with his expressed intention of attending the chapel of Greenwich Hospital whenever the anniversary of any of the great general engagements at sea, which occurred during the late war, should fall on a Sunday, proceeded in state to the royal hospital, for the purpose of hearing prayers. A large body of the metropolitan police, together with the constabulary force of Greenwich, attended in the avenues leading to the hospital, as well as within the bounds of

the hospital itself, to preserve order. A strong detachment of royal marines was stationed in the great quadrangle of the building, and a guard of honour, selected from the same corps, was formed in a line, extending from the great hall to the chapel. Exactly at half-past eleven o'clock his majesty, accompanied by the queen and prince George of Cumberland, and attended by the royal suite, in six carriages, each drawn by four horses, and escorted by a detachment of the eighth hussars, entered the western gates of the hospital, the band of the royal marines performing the national anthem in a most spirited style, and proceeded to the chapel. The lower part was chiefly filled by the veteran inmates of the institution; those who had served under admiral Duncan on the eleventh of October, 1797, were conspicuously placed by themselves in a situation opposite to the royal pew. The rev. Dr. Cole, chaplain to the institution, having read the prayers, the bishop of Hereford ascended the pulpit, and preached a sermon, having selected as his text, Ephesians, chapter 4, verse 1. At a quarter before two o'clock their majesties and suite left the chapel, and proceeded to town.

12. EMIGRATION OF AGRICULTURAL LABOURERS.—Shortly before the sitting magistrates at the New Bailey, Manchester, left the court two healthy, fresh-countenanced, but somewhat emaciated agricultural labourers presented themselves in the witness box, whilst at the extremity of the court were ranged sixteen individuals, one of them a female about thirty, with two infants in arms, eight children, apparently all of them under ten

years of age, and three whose ages might be from thirteen to sixteen years, two of them girls, and the third a boy. There were two others making up a party of eighteen. One of the men stated that they came from Towersey, in Buckinghamshire. The farmers (he said) called a meeting to know if any of the parishioners would go down to Manchester, as everybody there was doing well. Several of us said we would go; they told us they thought our families would do well to go down—they said there would be houses for us to go into when we got there, and every thing provided for our use. They employed a man named Clarke to see after people who would go down, and we went to him. He asked what families we had got, and said we should do well indeed to come; we started accordingly to Mr. Waterhouse's, at Glossop. We were brought from our own county to Glossop, in a boat, and from Glossop Mr. Waterhouse sent us forward in a cart. When we got there, there were forty-five of us; we were put in a bit of a warehouse, and I have been there with my family three weeks, lying on a bit of straw, which is the only bed I have had. I worked at Mr. Waterhouse's three weeks, but yesterday he hired a cart, and sent us in a cart to Manchester; the carter put us down in the street and left us; he has sent another cartload this morning; I have seen them in town, and he would have sent them yesterday, but the cart would not hold us all; so he told one of the women that he would send them this morning in his own cart. I don't know what has become of them. I saw them in town this morning, and they said

they were going to the boat. We two (the men) are farmers, and the children are lacemakers—we were in work at the time we left Buckinghamshire.

The magistrate expressed much indignation at the deception which had been practised upon these unfortunate people, and it was arranged that the overseers should take measures for returning the families to their native parish, from which they had been thus unnaturally cast off. In the meanwhile it was ordered that due care should be taken of them in Manchester.

27. THE CHIMPANZEE.—At the ordinary meeting of the Zoological Society for scientific business held this evening, Mr. Bennett, the secretary, read some observations by Mr. Broderip on the habits of this singular animal, which has recently been added to the collection at the gardens. It was brought from the south-west coast of Africa, and the natives, from whom it was obtained, said that it came from about 120 miles in the interior. The mother was with it at the time it was taken and was about four and half feet in height. The animal in question is a male, about two feet in height and supposed to be about a twelve-month old. Whilst on his voyage to this country, he was very lively, manifested great attachment to the sailors, and was very active in climbing the rigging. When first seen by Mr. Broderip, he was sitting on the lap of a female, in the keeper's apartments, at the Menagerie, and showed so much attachment to his nurse, that it was with difficulty he would permit her to go about her occupations, evidently considering her as his foster-mother. Any natural sur-

face he was content with examining with his sight and touch, but any artificial substance he always submitted to the additional scrutiny of his teeth. By his nurse he was familiarly called "Tommy," and his attempts at speaking in reply were like the vain efforts of a deaf and dumb person striving to articulate. When put before a looking-glass; his behaviour was exactly like that of an infant or savage placed under similar circumstances, endeavouring to ascertain by the touch if there were anything substantial behind. When offered a glass of sherry, he raised it to his lips, but drank a very small quantity, as it did not seem to be agreeable to his taste. A cocoa-nut being presented to him, he threw it down several times successively upon the floor for the purpose of breaking it, anxious to get at its contents. To ascertain the effects of fear, a python was brought in a hamper into the room, at which he manifested the utmost horror and aversion, retreating to his keeper, and evidently seeking his protection. He is very partial to swinging, sitting like a child, and holding the rope on each side with his hands. His intelligence is evidently different from that of a dog, and approaches more nearly to that of the human species. When at liberty he is very playful and his expressive looks show an evident desire to court the good opinion of those who are in his company. He is remarkably docile and obedient to orders, and on one occasion having climbed up to a window and opened it, when it was feared he would make his escape, on being called by the keeper by his familiar name, he immediately closed and fastened

swer in the negative, the learned the window and descended. His appearance is that of a wrinkled old man, and being dressed in a Guernsey frock and little woollen cap, and having when in his cage, a singular propensity to holding his hands up to the ceiling, he was actually mistaken by a party, who came to inspect him, for a plasterer engaged in repairing it. He has the inquisitiveness of a child, more than the disposition of the monkey tribe, and appears to possess the power of retaining the same idea longer, and directing his attention to one object with gravity for some time without wandering.

29. CENTRAL CRIMINAL COURT — BIGAMY — DIVORCE. (*Before Mr. Justice Gaselee and Mr. Justice Patteson.*) Robert Edward Bruce, *alias* Robert De Bruce, aged thirty-three, described in the calendar as a soldier, was indicted for intermarrying with Henrietta Barber, his wife, Jane Rosalind, being then alive.

The prisoner in his defence admitted that he was married to Miss Donovan, but in 1833 he cited her to appear in the ecclesiastical court of Stockholm to show cause why they should not be legally divorced. She did not appear, but the service of the warrant was admitted, and the marriage was consequently dissolved in the criminal court, in the court of high justice, and in the ecclesiastical court. Having been thus legally divorced, he considered himself at liberty to marry again. He put in a copy of the record of the divorce in the ecclesiastical court of Stockholm.

Mr. Justice Patteson, having inspected the document, inquired whether the prisoner had any witnesses. On receiving an an-

judge proceeded to sum up the case. In his opinion the prisoner had not proved that any divorce had taken place between him and his first wife, because he had not satisfied the court of the legality of the paper produced. But even if the document were admitted to be genuine, it would be no answer to the charge. It merely set forth that the prisoner had been divorced and was free to marry again, because his wife had not appeared to the citation. The divorce might have effect in Sweden, but it certainly could not in this country. The learned judge adverted to a case in which a divorce had been obtained by a wife in the consistorial court of Scotland, and the husband having married again, he was indicted for bigamy. The judges all held that a divorce in a foreign court was of no force in England.

The Jury returned a verdict of *Guilty*: but the man was subsequently pardoned.

31. O'CONNELL AND MR. SHERIFF RAPHAEL. — There appeared in *The Times* of to-day the following letter from Mr. Raphael, who had been returned for the county of Carlow, but was unseated upon a petition.

“ TO THE ELECTORS OF THE COUNTY OF CARLOW.

“ Gentlemen,—A report having been circulated that, in withdrawing at the time I did from any further opposition to the petition by which Mr. Vigors and myself were removed from the high honour of being your representatives, I had abandoned your interests, and sacrifice, for the present the independence of your county, I think it a duty to myself, and to you, who so nobly returned me, a perfect stranger, as one of your representatives, to state fully and unreservedly the origin of my connexion with your county, and the circumstances under which I embarked in, and was

ultimately and most reluctantly compelled to withdraw from, a contest, before a committee of the House of Commons.

“In making this statement, I shall avoid as much as possible entering into any detail which might admit even of a colourable contradiction, and confine myself to a publication of that which is incapable of being controverted, with such observations only as appear to me necessary to render the whole transaction intelligible to you ; my object being, that those worthy and independent electors who kindly honoured me with their confidence and suffrages should be convinced that I resisted to the utmost the attempts made to deprive a vast number of you of your elective franchise, and that the defeat you and I have sustained was owing to circumstances over which I had no control—to the conduct of others, which neither you nor I could have believed possible, and of course could not guard against.

“Having for many years been ambitious of a seat in Parliament, and knowing the influence which Mr. O’Connell possesses in Ireland, I addressed to him in the month of May last a letter expressive of such my wish. A petition was then pending against the return of Colonel Bruen and Mr. Kavanagh as your representatives, and on the 27th of May the committee declared their election void.

“On the 28th of May Mr. O’Connell called on me at my town residence, and pressed me to become a candidate for the county of Carlow, assuring me that the only risk I could incur would be 1,000*l.* I requested twenty-four hours’ time to consider, and on the following day, at the exact hour appointed, I called at Mr. O’Connell’s, and was told by the servant he was not at home ; in the evening I received the following note, in consequence of which an appointment was made for an interview between us at his house, for the 31st of May :—

“ ‘ 9, *Clarges-street*, May 29.

“ ‘ My dear Sir,—I remained at home, at some inconvenience, until after the hour I mentioned. I was sorry I did not remain longer, as you called shortly after ; but as you left no letter or other indication of acceding to my proposal, I take for granted that you decline my offer—be it so. I only add my belief that

you will never again meet so safe a speculation, I am quite sure I never shall hear of one.

“ ‘ I have the honour to be, my dear Sir,

Your very faithful,

“ ‘ DANIEL O’CONNELL.

“ ‘ *Alexander Raphael, Esq.*’

“On the 31st we met, as appointed, and after some discussion he wrote and delivered into my hands this letter :—

“ ‘ 9, *Clarges-street*, June 1.

“ ‘ My dear Sir,—You having acceded to the terms proposed to you for the election of the county of Carlow—viz., you are to pay before nomination 1,000*l.*,—say 1,000*l.* and a like sum after being returned—the first to be paid absolutely and entirely for being nominated, the second to be paid only in the event of your having been returned, I hereby undertake to guarantee and save you harmless from any and every other expense whatsoever, whether of agents, carriages, counsel, *petition* against the return, or of any other description, and I make this guarantee in the fullest sense of the honourable engagement that you should not possibly be required to pay one shilling more in any event, or upon any contingency whatsoever.

“ ‘ I am, my dear Sir, your very faithful

“ ‘ DANIEL O’CONNELL.

“ ‘ *A. Raphael, Esq.*’

“At this meeting I gave to Mr. O’Connell the address which I had formerly published to the electors of Westminster, which he promised to alter, and I became a candidate for the high honour of representing you in Parliament.

“At a subsequent interview Mr. O’Connell wished me to pay the first 1,000*l.* to his credit with Wright and Co., but I told him I preferred it going through the hands of my solicitor, Mr. Hamilton, with whom I would leave the money. On the 4th of June he sent me the following note :—

“ ‘ 9, *Clarges-street*, June 4.

“ ‘ My dear Sir,—I have heard from Mr. Vigors this day—our prospects are quite bright. I will arrange your address for to-morrow’s post, and my own for immediate publication. I at present entertain no doubt of success ; you will hear again from me to-morrow. Who is Mr. Hamilton, with whom you have deposited the 1,000*l.*? I do not know any person of that name in London. I hope

I shall soon have the pleasure of sitting by your side in the House. Till to-morrow,

“ ‘ I have the honour to be

“ ‘ Your very faithful servant and friend,

“ ‘ DANIEL O’CONNELL.

“ ‘ A. Raphael, Esq.’

“ On the 5th of June I received a note from Mr. Morgan O’Connell, apologising, by his father’s direction, for not having written according to his promise, and on the 8th I received the following letter :—

“ ‘ London, June 8.

“ ‘ My dear Sir,—I sent off yesterday my letter to the electors of Carlow on your behalf; all my accounts confirm my opinion of an easy victory; I doubt whether there will be more than the show of a contest, but I am assured, in any event, of success. I send you a slip of a Carlow newspaper, showing that you are already nominated under the most favourable auspices. I also send you the draught of an address; I beg of you to peruse it, and to return it to me with any corrections you may deem necessary, or if you approve it, *then* with your signature; my wish is that you should alter it as little as you possibly can. I also send you a sealed letter from Mr. Vigors. I beg of you to return the address as near to 4 o’clock this day as you can, that I may transmit it to the *Dublin Pilot* for publication on Wednesday next. All the *good* men of Carlow see that paper. Let me know who the Mr. Hamilton is with whom you deposited the 1,000*l.*; I expected you would have lodged it at Mr. Wright’s. It is time *this* was done.

“ ‘ Faithfully yours,

“ ‘ DANIEL O’CONNELL.

“ ‘ Alexander Raphael, Esq.’

“ On the 10th of June Mr. John O’Connell called on Mr. Hamilton with a note from his father, and received 1,000*l.*, for which he gave a memorandum. The following is a copy of the note and memorandum :—

“ ‘ Wednesday, June 10.

“ ‘ Sir,—I beg you will hand my son, Mr. John O’Connell, the 1,000*l.* placed with you by Mr. Raphael for my use.

My son will give you a voucher at foot.

“ ‘ I have the honour to be, Sir,

“ ‘ Your obedient servant,

“ ‘ DANIEL O’CONNELL.

“ ‘ To T. Hamilton, Esq.,
2, Henrietta Street.’

“ ‘ I acknowledge to have received 1,000*l.* by draught on Wright and Co.’

“ ‘ JOHN O’CONNELL.’

“ ‘ June 10, 1835.

“ And on the same day, previous to the receipt of the money, I having communicated to him by a friend of mine that Mr. Fergus O’Connor called upon me for my decision respecting Carlow, he sent me the following note :—

“ ‘ It is not my fault that Mr. Fergus O’Connor called on you. Refer him and every body else to *me*. I want part of the 1,000*l.* to send over. How shall I communicate with Mr. Hamilton?

“ ‘ All well, quite well, in Carlow.

“ ‘ Faithfully yours,

“ ‘ DANIEL O’CONNELL.

“ ‘ Wednesday.’

“ ‘ 9, Clarges-street, half-past 3.

“ ‘ My dear Sir,—Glorious news! Raphael and Vigors returned on Thursday. I do not know the exact majority, but I know the *fact*. I heartily congratulate you. My communication is from a Cabinet Minister, but this is private. You can take your seat to-morrow.

“ ‘ Ever yours faithfully,

“ ‘ DANIEL O’CONNELL.’

“ And on the following morning, the 22nd, I received this short note :—

“ ‘ Alexander Raphael, Esq., M. P. Ultimate majority, 56. You are entitled to get your letters *free* this day.’

“ On the 13th I received a letter from Mr. O’Connell, with the form of the oath to be made by me as to my qualification, and with directions before whom it was to be sworn; that letter contained these passages :—

“ ‘ I am glad to tell you that our prospects of success are, I do believe, quite conclusive; if only one Liberal is to be returned, you are to be *the man*. I have made all the pecuniary arrangements, &c.

“ On the 17th Mr. O’Connell wrote me the following:—

“ ‘ *Wednesday.*

“ ‘ My dear Sir,—I send you Vigors’ letter to me, just received ; *you see how secure we are.* Return me this letter, as it vouches 800*l.* for me ; with that you have nothing to do, as, of course, I stand between you and everybody.

“ ‘ Faithfully yours,

“ ‘ DANIEL O’CONNELL.’

“ ‘ *Alexander Raphael, Esq.*’

“ The day after I received the following note .—

“ ‘ *June 18.*

“ ‘ I enclose you the ballot of this morning. Nothing can be better.

“ ‘ Ever yours faithfully,

“ ‘ DANIEL O’CONNELL.

“ ‘ *A. Raphael Esq.*’

“ Mr. Tyrell did not work with the people at the last election.

“ I must observe, that though I paid the 1,000*l.* in cash, I have been informed that the 800*l.* here mentioned was remitted in a bill at a long date, drawn by Mr. O’Connell upon some persons carrying on business as brewers in Dublin, a circumstance that was not very well calculated to induce the electors, or those to whom the money was remitted, to entertain a very high opinion of my pecuniary means. I have also been informed that nothing beyond the 800*l.* has been expended or received in the county. What became of the other 200*l.*, or what would have become of the second 1,000*l.* in case I had been returned without a contest, or without a petition, it is no business of mine to inquire.

“ On the 21st of June Mr. O’Connell communicated to me the gratifying intelligence that I had been returned one of your representatives by the following letter ; and on the 25th I took my seat in the House of Commons with a full determination to do everything in my power to redress the grievances under which Ireland, and in particular its Catholic inhabitants, had so long suffered ; but at the same time equally determined to act as became the independent representative of so large and influential a body of electors as those who had honoured me with their confidence and suffrages.

“ On the 3rd of July a petition was presented against the return of Mr.

Vigors and myself, and it is important to bear in mind that it was evident from the allegations contained in it, that his and my right to the seats would be decided on a *scrutiny* ; hence the necessity for an immediate and active investigation into all the votes on both sides, and for measures being taken to defend those seats and your rights before a committee of the House of Commons.

“ On the 16th or 17th of July the petitioners perfected the necessary recognizances, and on the latter day I received the following letter :—

“ ‘ *Clarges-street, July 17.*

“ ‘ My dear Sir,—Send to Mr. Baker* the particulars he wants of your qualification. I will stand between you and him for all expenses. I promised you, and repeat distinctly my promise, that upon payment of the second 1,000*l.*, to which you are at all events engaged, no demand shall be made upon you for one additional sixpence. Do, then, at once pay the other 1,000*l.* into Messrs. Wright’s to my credit. Confer with Mr. Baker as to his defence as much as he chooses, I am bound to indemnify you from all expenses beyond THAT 1,000*l.*—that is the second sum.

“ ‘ Believe me to be very faithfully yours,

“ ‘ DANIEL O’CONNELL.

“ ‘ *Alexander Raphael, Esq.*’ ”

“ On the 25th I received this note from Mr. O’Connell:—

“ ‘ *9, Clarges-street, July 25.*

“ My dear Sir,—You did not say to whom I was to apply for the second sum of 1,000*l.*, according to our arrangement. It is necessary—*absolutely necessary*—it should be paid *this day*. Let me know at once who is to give it to me ; I have a note from Vigors, to whom I am pledged, pressing me on this subject. I, of course, am bound to him for the money.

“ ‘ Faithfully yours,

“ ‘ DANIEL O’CONNELL.

“ ‘ *A. Raphael, Esq.*’

“ On the following day I informed Mr. O’Connell by note that my solicitor, Mr. Hamilton, would be in Henrietta-street, and requested him to call on him. This he did not do, but sent his son, Mr. John O’Connell, to whom Mr. Hamilton

* The agent employed by Mr. O’Connell.

stated that my understanding of the original engagement between us, in which he fully coincided, was, that the second 1,000*l.* was not to be paid until the seat was safe. This Mr. John O'Connell promised to communicate to his father, from whom I received on the night of that day, on my return from the House of Commons, the following letter:—

“ ‘ 9, Clarges-street, July 27.

“ ‘ Sir,—I can hardly restrain my feelings at hearing that you shrink from performing your engagement with me. Rely on it you are mistaken if you suppose that I will submit to any deviation from our engagement. I say no more at present, in the hope that there may be some mistake, which you will INSTANTLY do away—there can be no mistake on my part.

“ ‘ I am, in the mean time,

“ ‘ Your obedient servant,

“ ‘ DANIEL O'CONNELL.

“ ‘ *Alexander Raphael, Esq.* ’ ”

“ My first impression on reading this very extraordinary epistle, to say the least of it, was to abandon my seat at once; but on further reflection, and after advising with my friends, I determined to submit for the time to the insult thus offered, and by paying him the second thousand pounds to remove from Mr. O'Connell all possible pretext for the non-fulfilment of the engagement on his part. Accordingly, on the next day I sent him this reply:—

“ ‘ Great Stanhope-street, July 28:

“ ‘ Sir,—I deny most positively that I have in any respect shrunk from performing my engagement with you. On the other side you will find a copy of the letter you gave me—viz., that of June 1. You must recollect the conversation we had prior to that being written. My understanding at that time was, and ever since has been, that I was to risk only 1,000*l.*, and that the other 1,000*l.* was to be paid only in the event of the seat being secured; you, it seems, put a different construction on it; and as I presume we both wish only what is right, I would suggest that the question should be decided by some mutual friend. In the mean time, to prevent all possibility of doubt as to the good faith on my part, I have authorised Mr. Hamilton to pay the 1,000*l.* In con-

clusion, it pains me to say that the tone of your letter was quite unwarranted by any thing on my part.

“ ‘ I am, Sir,

“ ‘ Your faithful and obedient servant.

“ ‘ ALEXANDER RAPHAEL.

“ ‘ *To Daniel O'Connell, Esq.* ’

“ On the same day, viz., July 28, Mr. John O'Connell received the second 1,000*l.*, and half an hour afterwards the ballot took place and the committee were nominated.

“ On the 31st a letter was put into my hands, as I was going into the House of Commons, to be delivered to Mr. Vigors, who afterwards informed me it was from the agent, and was a very important letter, to which I replied, that I had nothing to do with it, and referred him to Mr. O'Connell. What the contents or purport of it was I did not then know, but have since been informed that it contained a statement of the probable expenses that would be occasioned by the scrutiny.

“ On the 2nd of August I met Mr. O'Connell by appointment at his house, when he made many violent observations on what he called the partial conduct of the Tory committee, and stated that he would wait until two votes were disposed of before he determined what course he would take; but not one word fell from him on this, or any other occasion, intimating that the opposition to the petition was proceeding at my expense. I could not, however, from certain expressions used by him, but entertain doubts that it was his intention not to carry on the contest much longer, and that he would avail himself of the first plausible opportunity of withdrawing from it. In this I was confirmed by the receipt, on the following morning, of a letter from that gentleman, containing something in the shape of an offer or proposition so extraordinary and unexpected that I really knew not what to make of it, except, indeed, to prepare for, and reconcile me to, his then intended breach of engagement, and to induce me to believe that it was not only his desire to make some atonement for the consequences of such an act, but that it was in HIS POWER to compensate me in some other way for the loss of my seat, which was now reduced to a certainty, so far at least as depended on him for his pecuniary or other support.

But as this letter was marked 'strictly confidential,' I am not now disposed to allude further to its contents, but am ready to publish it and my reply, if Mr. O'Connell will permit me, to make this narrative complete: suffice it, therefore, at present to say, that I was not to be blinded or duped by this attempt 'to blarney and humbug me;' and only now quote the following extract from that reply:—'I rely, however, on your fulfilling your engagement with me to secure my seat, if possible, by fighting the battle so long as a bad vote for the petitioners remains on the poll, or at all events to the end of the present session. To allow fifty-six of our votes to be struck off would leave fearful odds to contend with on a future vacancy.'

"On the 4th of August Mr. Vigors, Mr. O'Connell, and myself, met by appointment at the Westminster Club, and I was then informed that the committee had that day struck off the first vote. This, of course, led to some discussion, when I learned for the first time, to my very great surprise, that Mr. Vigors had not contributed, and would not contribute, one shilling towards the defence of the seats!!! Mr. O'Connell left it beyond doubt that he did not intend any longer to defend the seats, consequently there was no alternative but for me, after having already advanced 2,000*l.* in the confidence reposed in a brother Catholic, either to fight the battle single-handed, or to abandon at once all further opposition, and give the seats at once to Colonel Bruen and Mr. Kavanagh. Placed in this very embarrassing predicament, I determined, at all events, to continue the opposition for a day or two, to give me an opportunity of conferring with my friends. Hitherto I had not been consulted either directly or indirectly, and had not taken any part in getting up the case on the part of the sitting members. Counsel had been retained, and an agent appointed, of whom I knew nothing, without any communication with me. I was, of course, in entire ignorance of the merits of the case on the part of the petitioners, as well as of the sitting members; but had been assured there were more bad votes on the part of the petitioners than of the sitting members, and that the same evidence as to value which would disqualify the latter would in its turn apply to the former, and that

little doubt existed of the petitioners being defeated. To have abandoned the contest would not only have given the seats to Colonel Bruen and Mr. Kavanagh, but would have enabled them to prosecute the scrutiny on their part as long, and in any way they pleased; and, in the absence of opposition, they could not have had any difficulty of striking off nearly the whole of the votes they had objected to (upwards of 200), which would have given them such a decided majority as would have rendered any opposition at a future election unavailing, until another registration had taken place. I resolved, therefore, not to allow the county to be left in that predicament without a struggle, and relying on the assurance that our case was good, I went on with the opposition, but in the mean time addressed this letter to Mr. O'Connell, which he thought it prudent not to reply to, or take any notice of:—

"*Great Stanhope-street, August 5.*

"My dear Sir,—I cannot express how deeply I feel in being left by you in the painful dilemma either of running away from the fight, with a majority of fifty-six in our favour, or to commence from to-morrow an expensive and uncertain contest, without a single sixpence from my colleague. I have, however, by the advice of my friends, determined to continue the contest for a day or two longer, reserving always to myself, if necessary for the vindication of my character towards my constituents of Carlow, any other mode of proceeding which I may be advised to adopt. I, therefore, once more call upon you, as an act of justice to me, to fulfil your engagement, as you must be convinced (and you have yesterday declared*) that I have acted throughout the transaction in the most honourable manner towards you.

"I am, my dear Sir,

"Your faithful and obedient servant,

"ALEXANDER RAPHAEL."

"On the following day I had an interview with Mr. Baker the parliamentary agent before-mentioned, who had been employed by some one, and I naturally infer by Mr. O'Connell, cer-

* In the presence of Mr. Vigors,

tainly not by me, or with my knowledge, who stated, however, that he had nothing to do with Mr. O'Connell, but looked to me, and me only, for the expenses of opposing the petition.

"The scrutiny continued until the 17th of August, when the petitioners, having struck off 105 votes, and thus converted our majority of fifty-six into a minority of forty-nine, declared their case for the present closed, reserving to themselves the right of going on with their objections to the remainder of our votes, in case we should strike off a sufficient number of theirs to turn the majority.

"In order to render the cause of our defeat intelligible to you, it is necessary I should state, the committee, on the commencement of the investigation, came to the resolution that the votes *objected to before the revising barrister in 1832* should be first inquired into; it became essential therefore, in the first instance, to give some evidence that the persons whose votes were now sought to be impeached had been then objected to, and on the part of the counsel employed by some one, but certainly not by me, to oppose the petition, it was insisted that *strict* proof should be given that specific objection was taken to each individual as he came up to register, and that it was not sufficient to show that a general objection was taken by cross-examination of the party. This evidence the petitioners were, fortunately for them, and unfortunately for us, enabled to give in every case by means of a very active and intelligent agent, who had attended the registry, and who produced the book in which he at the time made memoranda of his objections. When the counsel employed on behalf of Mr. Vigors and myself required our opponents to go into this minute proof, they must, I presume, have been instructed that we should be in a situation to give similar evidence, when called upon to support our objections to the votes of our opponents.

"Whether they were so instructed or not I know not, but when it came to our turn to prove our case, we had, sure enough, the revising barrister, one of the counsel, one of the agents, and several other persons, all of whom could speak to the general nature of the objections, but not one of whom could particularize more than about a dozen

individuals to whose right of voting any specific objections had been taken, and even about those they could not speak with certainty. A book had, indeed, been kept at the time of the registration which, if produced, would have enabled the agent to give the requisite evidence; but owing to some unaccountable blunder the party who was known to have possession of it was not summoned, but remained quietly in Carlow. Counsel, it is true, attempted to support three or four objections, but being required to give the same kind of evidence which had been required of our opponents, and which they had in consequence given, we, to use a law phrase, immediately 'broke down.' To have continued the contest longer under such circumstances, would have been not only unavailing, but might have induced the committee (seven of whom were Tories) to have voted the opposition frivolous and vexatious. I, therefore, under the advice of our counsel and agent, determined to offer no further opposition, and in so doing I trust you will think I have made out a sufficient justification, and that, so far from in any way sacrificing your rights or abandoning your interests, I have done every thing in my power to preserve and protect them, and that I have not in any respect forfeited that confidence which you were pleased to place in me when an entire stranger to you, and which, I flatter myself, you will, on some future occasion again honour me with.

"I am aware that, in thus making public what has passed between Mr. O'Connell and myself, I shall expose myself to that person's customary and vindictive abuse and calumny; but I feel that the liberal electors of Carlow are, nevertheless, entitled to this explanation, and if any thing he can do, or leave undone, can, after recent disclosures, surprise his fellow-countrymen, it will be that he has never had the good feeling or decency to express on any occasion, either by letter or otherwise, one word of regret for what has occurred, or at the untoward termination of what he was pleased to designate as a safe '*speculation*,' in which I embarked under a perfect reliance on his honour, patriotism, and integrity, and under the circumstances in part before detailed.

“ That I may not do him an injustice, it is but fair that I should, in conclusion, observe that the second sum of 1,000*l.* has been accounted for by his paying in cash 350*l.* to Mr. Baker towards the law charges, and after repeated applications made for the balance, by giving him a bill for it at a long date, drawn by Mr. O’Connell himself on the self-same brewers as the 800*l.* before alluded to was drawn on.

“ Such, gentlemen, has been the conduct of the individual who, in his letter recently addressed to the Duke of Wellington, with his usual modesty, thus speaks of himself—‘ The Irish nation know me to be *sincere* and *honest*; they confide in my moral courage and indefatigable perseverance.’

“ This, gentlemen, may be your opinion: it most certainly is not mine.

“ With many and grateful thanks to you for your exertions in my favour,

“ I have the honour to be,

“ Gentlemen,

“ Your faithful and obedient

“ Servant,

“ ALEXANDER RAPHAEL.

“ Great Stanhope-street, Oct. 20.”

NOVEMBER.

2. An explosion of foul air took place at a colliery named the “ Pump-house Colliery,” near Dudley port, in the parish of West-bromwich. The issuing of a dense smoke from the mouth of the Pump-house pits, together with large quantities of heavy coal thrown aloft into the air with great force and to a great elevation, immediately showed where and what was the nature of the accident which had occurred. Nine men and boys were taken up quite dead, and five so dreadfully injured that they died in a few hours after. The following evidence was given on the inquest by a man named Moses Buxton, who was in the pit at the time of the explosion. “ The explosion took place about half-past

5 o’clock in the evening; the way in which I saved myself was by throwing myself on my belly; I lay in that situation for about five minutes, and when I got up I observed a fire go straight down from me and towards the gate-road of the pit; I then went to where my clothes were, put my shirt and waistcoat on, and having thrown my coat on my son’s back, we tried to escape from the sulphur. We went as far as we could and tried to get our breath, but the sulphur was so strong upon us that we were obliged to return to the place from which we started, and there we lay until 9 o’clock at night. I and my son were taken out of the pit, and it was not until 3 o’clock the next morning that I came to myself, or knew where I was.”

7. CORONER’S INQUEST.—An Inquest was held in the committee-room of the New Bethlehem Hospital, St. George’s-fields, for the purpose of investigating the circumstances attending the death of Mrs. Ann Umpleby, aged 57, a lunatic, confined in that institution, who committed suicide in the manner detailed in the following evidence. Ann Penny, one of the nurses of the institution, deposed that the deceased was admitted on the 9th of October, being at the time in a very delicate state; her case was one attended with very bad symptoms; for the first fortnight her health appeared to improve, although no change took place in her malady, which was attended with excessive despondency; witness had charge of her with other patients; about half-past 3 o’clock on the preceding afternoon, whilst the patients were at dinner, she suddenly missed the deceased, and discovered her sitting on the

floor of the water-closet, with her back towards her. Her cap was off, she breathed very hard, and foamed at the mouth. On closer examination witness considered she was in a fit; and obtaining water, was about to wash her face, when she discovered that the unfortunate lady had by some means made a wound in her throat. There was a quantity of blood on the floor.

There was no difference of treatment exercised so as to cause the commission of the act; no restraint whatever; in the water-closet a mutton bone and some pieces of glass were found, but not any knife or sharp instrument.

Mrs. Forbes, the matron of the institution, stated that she put questions to the deceased after the wound was dressed, when she muttered "Glass, glass—water-closet." There was no knife or sharp instrument the deceased could get possession of. The glass was left in the closet by a glazier who had repaired some windows. The two surgeons who were examined were decidedly of opinion that the wound, of which the deceased died, was of that nature that it must have been effected by a sharp instrument, and not by pieces of glass or a bone.

The Jury, returned a verdict "That the deceased destroyed herself in a state of insanity."

12. EARTHQUAKE.—In the middle of the night a strong shock of an earthquake was generally felt in Calabria Citra; this was followed at intervals by ten other shocks; some also were experienced on the following days. In the midst of these commotions, Castiglioni, a commune in the district of Cosenza, was levelled to the ground, and 100, out of a population of 1,000, met an untimely

death. Many of the inhabitants who attempted flight were severely wounded by the falling of the houses. The small village of Bo-vello, with a population of 370 persons, shared the same fate, although with the loss of only two lives and about 30 wounded. In Leppano a family of six individuals was buried in the ruins of a fallen house. In Rende two were killed from the same cause, and one in Casole—19 perished in Santo Pietro a Guarona, where also several houses were thrown to the ground. The buildings in Cosenza, the capital of the province, were damaged, although no lives were lost.

STEAM-BOAT ACCIDENT OFF GREENWICH.—An Inquest was held on the body of William Williams, a lad aged 16 years, who was drowned on Monday evening by the Monarch steam towing-vessel running down a boat in which he was, in Blackwall Reach.

The Jury having viewed the body, the following evidence was adduced:—

Walter Watt, master of the brig Jane, a Newcastle collier, stated that on Monday evening last he was about to proceed to his own vessel in Bugsby's-hole in his boat, accompanied by the deceased and George Guthrie, his mate. When about 10 or 12 yards from the north shore, opposite Greenwich Hospital, he saw a steamer coming up Blackwall-reach. The steamer was about twice her length from them, when she suddenly altered her course, and came right down towards them. He then hailed her and endeavoured to get the boat's head further in shore, but the steamer struck them in midships and went over them. Witness

went underneath the steamer's bottom on her larboard side, and the deceased sunk on the starboard side. Guthrie caught hold of a rope hanging from the bow of the steamer, got on board, and was saved. The boat was cut almost in two. Witness came up astern of the steamer, and was saved by a man in a boat which was hanging astern of the steam-vessel, who put out a boat-hook and caught him by the nose, when he was just sinking from exhaustion. Witness saw nothing of the deceased after the boat was swamped. Witness was taken on board the steamer. He was only ten yards from the land when his boat was run down. The steamer carried lights at her mast-head. It was a fine night, and not very dark—a starlight night—if any one had been looking out they must have seen the boat.

George Guthrie, the mate of the *Jane*, said he was certain no look-out was kept in the steamer, which was going at a rapid rate when the boat was struck. He called out to the *Monarch* when she altered her course, “Yaw ahoy, put the helm a-starboard,” but it was not done. If that call had been attended to, and there was plenty of time for it, the boat would not have been run down.

The mate and a seaman belonging to the *Monarch*, were severally examined at great length; their evidence was to the effect, that a good look-out was kept on board the *Monarch*, that she was not going at a rate exceeding five miles an hour, and that the accident was unavoidable, owing to the darkness of the night. In cross-examination they contradicted each other in several material points.

The Jury then returned a ver-

dict of “Manslaughter, against Nathan William Green, the master of the *Monarch* steamer.”

13. TRIAL OF LACENAIRE AND OTHERS, ACCUSED AT THE PARIS COURT OF ASSIZES OF TWO MURDERS, AND VARIOUS ATTEMPTS AT MURDER AND ROBBERY. —The prisoners arraigned were Lacenaire, Avril, and François; the first two charged with the murder of a widow and her son; and the last, with being the accomplice of Lacenaire in an attempt to commit another murder.

Upon the table were placed bundles of clothing, a bag of money, the panels of a door, some household utensils, and a sharpened file, an awl, a hatchet, and a hammer-hatchet. The latter were the instruments with which the murder was committed.

On the preliminary questions being put to the prisoners, Lacenaire stated himself to be a commercial traveller, thirty-three years of age; Avril, a joiner, twenty-five years old; and François, a carpenter, thirty years of age.

The Registrar then read the act of accusation, of which the following is a summary:—The widow Chardon and her son occupied a small lodging on the first floor in the passage du Cheval Rouge, Rue St. Martin; she was sixty-six years old, and inscribed on the registers of the Bureau de Charité. Her son, who had been imprisoned two years for robbery, was reputed to be given up to the most immoral practices, which he endeavoured to conceal under the cloak of religion. On the 14th of December 1834 the porter of the house saw both the widow and her son at about 1 o'clock; they returned home, and were not seen after.

On the 16th, a neighbour saw from a window some bloody linen in their apartment. A commissary of police was sent for, and upon his entering, he found in the first room, which served as a kitchen, the body of the son, Chardon, pierced with numerous wounds. His bed, which was in this room, was stained with blood; and at his feet were lying an axe and two kitchen knives, spotted with blood. The next room was in complete disorder, all the furniture being overturned. Here was discovered the body of the widow Chardon between two arm-chairs, and a trestle bed was thrown over upon her. Every thing was besmeared with blood. She had many wounds on her body, near which was an awl; this instrument was sharp at both ends, and had merely a cork for a handle, but, from the action of using it, the cork had passed into the middle, and both ends of the awl were bloody. The surgeons, who examined the bodies, were of opinion, that they had been dead two days; that death had been occasioned by the hatchet, the awl, and perhaps the two knives; and that the crime must have been perpetrated by more than one person. The door of the apartment had not been broken open, but a closet had been forced, and a sum of 500f., and several silver spoons and forks carried off.

In April, Lacenaire was arrested on the charge of robbery, forgery, and an attempt to murder Genevay, a collecting clerk. The proofs against him being very strong, he, whilst in prison, expressed a wish to make revelations, and confessed all the circumstances of the murder of the Chardons, declaring Avril to have been his accomplice.

The act of accusation having

been read, Avril and François were taken out of court, and the proceedings were suspended for a quarter of an hour, during which Lacenaire continually talked and laughed with the gendarmes around him. To the President's questions Lacenaire replied—"I have known Chardon since 1830, but visited him only once; Avril went several times. We learned that he was to receive money from the Queen, and it was said to be an advance of 10,000 francs. I did not learn this from either of my fellow-prisoners, but from a person whom I will not name. I went to engage Frechard in the murder, who, however, declined. I cannot say whether the idea of the murder originated with me, or with Avril. I was armed with an awl, but Avril had no weapon. According to an agreement between us, Avril seized Chardon by the throat, while I stabbed him with the awl, and as Chardon struggled hard, Avril seized the hammer-hatchet, which was hanging behind the door, and finished the business. While Avril was thus engaged, I went into the room beyond, where I found Madame Chardon in bed, and killed her with the awl. Avril took no part in this second murder, as he did not enter the room till I was pressing the mattresses upon the body. I was wounded in the hand by the awl, in consequence of it having only a cork for the handle, and the end of it was forced through by the violence of the blows. We carried off some plate, a sum of 500f., and some clothes, besides an ivory figure of the Virgin, which we fancied was of value, but afterwards threw into the river, as we were offered only 3f. for it. Avril sold Chardon's cloak for 20f. at the Temple, which sum he retained

for himself. After the murder we went to bathe at the Bains Turcs, and, having cleared away all the spots of blood, Avril went and sold the plate, while I waited for him at the Estaminet of the Epi Scié, on the Boulevard du Temple, where we dined, and afterwards went to the Théâtre des Variétés. When I went into Chardon's, I heard the clock of St. Nicholas's Church strike 1, and it was about a quarter after when we left the house. In fact, the crime was perpetrated in the middle of the day. On the following day, I hired a lodging in the Rue Montorgueil, in the name of Mahossier, a law student, where I lived six days with Avril. I did not become acquainted with François till the 30th of December. I hired the apartment solely for the purpose of robbing a collecting clerk, to accomplish which I should have stopped at nothing. I previously made several attempts of this nature, particularly one in the Rue de la Chanverrierie, which, however, failed on account of the clerk being followed by a porter. The first time we inveigled persons of this description was merely to ascertain how far enterprizes of that nature were likely to succeed. François, on the 29th of December, went to the house of a young man with whom I was acquainted, and declared that he was in a desperate state, having no resources; that he was proscribed, that if arrested, he would be condemned for life, having been before convicted, and that he would kill a man for 20f. The young man hinted, that he knew of a business worth more than that, which he would undertake himself, were he not ill, and offered to put François in his place. François accepted, and was on the following day

brought to me by the young man, whom I will not name. François and I went together to the apartment in the Rue Montorgueil, on the door of which I had written the name of Mahossier. On Genevay's entering, I requested him to go into the further room, where I seized him by the shoulder while François put his hand on the man's mouth, but as he shouted murder, François ran away, and I after him. François, believing that if I was taken, he himself might escape, pulled the door after him, but I succeeded in opening it, and ran out, crying "Stop the murderer," and several persons passed who showed me the way François had taken. On the following day, François, myself, and the person who introduced us to each other, went to Issy to rob a relation of François, but not being able to succeed, returned to Paris, where I took a lodging in the house of Pageot, under the name of Baton, and François under that of Fusillier. We slept together. Pageot knew who and what we were. It was I and François that robbed M. Richond, on the Boulevard Montmartre, of a clock, which I sold to a dealer in old clothes. A plan was laid between myself and Avril for robbing a collecting clerk of M. Rothschild, but as he never came to the appointment, we were obliged to content ourselves with robbing the room we had been lent for the purpose, of a pair of curtains." All the above circumstances were stated with the utmost ease and indifference.

Avril was then brought into court and examined. His answers were to the following effect:—"I have been sentenced to imprisonment for five years for robbery. I became acquainted with Chardon

in the prison at Poissy, and visited him two or three times afterwards. I do not think I saw him the day before the murder, and had not seen him for several days when I heard of the murder. I do not believe he had much money, though he used to boast of having a great deal. I never told Frechard that he had 10,000 francs ; besides, Frechard knew him, and knew also that he had no such sum. I lodged with Lacenaire from December 8, till I was arrested, on the 30th of that month. Lacenaire furnished the apartment partly with money I advanced, and partly with money of his own, which he said he had received for a play he had written with M. Scribe. When I left the prison at Poissy, I had 225f. I did not go with Lacenaire to Chardon's on December 14, nor do I recollect, that I breakfasted with him on that day, nor that I went with him in the evening to the Variétés. I often went with him to the theatres. I often went with him to the Bains Turcs, but do not remember that I went with him on December 14, or on the 28th."

Lacenaire here declared that Avril did go with him to the Bains Turc, and that he (Lacenaire) at the same time wore Chardon's cloak.

Avril replied :—"Lacenaire is determined to involve me, because he thinks I was the cause of his being arrested. I gave him up, when he proposed the murder in the Rue Montorgueil. I refused to join in it, recommending that, instead of killing the collecting clerk, we should cover his face with pitch. I never sold any plate, nor did I dine with Lacenaire at the Epi Scié on the 14th of December." Avril positively

denied the truth of every one of the statements made by Lacenaire tending to inculpate him in the murder of the Chardons, though his answers were contradictory and inconsistent. He admitted that he associated with Lacenaire for the purpose of committing frauds, though not for perpetrating murder.

Before the Court proceeded to the examination of the third prisoner, François, his counsel put several questions to Lacenaire, in order to ascertain how Lacenaire and François became acquainted.

Lacenaire persisted in asserting that it was through the introduction of a person named Baton, whom he no longer hesitated in mentioning, since he had been named by Avril in the course of his examination. Lacenaire appeared to be much vexed at being thus compelled to expose Baton.

François being examined, declared that he had known Lacenaire only since January 1.

The President observed that, in his previous examination, François admitted having slept with Lacenaire on the 31st of December.

Lacenaire affirmed that this was true.

François stated, that on the 31st of December, he went to Issy, to his aunt's, but not with the intention of robbing her—"an act of immorality such as none but Lacenaire could invent." He then steadfastly denied all the circumstances of the attempt on Genevay, as related by Lacenaire. He remained till the 6th of January with Lacenaire, at which period alone he knew his deeds.

The President remarked that, in his previous examination, he had stated that he heard Lacenaire

relate, on the 1st of January, the murder of the Chardons, to which François replied that it was not till five days after.

Lacenaire here asserted, that it was on the 30th of December that he related this murder to him.

François then denied sharing in the robbery of the clock from M. Richond, and selling it; and demanded that the dealer in old clothes should be called, to say whether it was he (François) that sold him the clock; and that Genevay should say whether he was the man who was with Lacenaire, when the attempt was made upon him.

Avril here required, that one Robetti, in prison at Melun, should be heard as a witness, to which the President answered, that a person condemned to an infamous punishment could not be admitted to give testimony. Avril, rising, rejoined, "M. President, Robetti is only condemned to three years, and no punishment under five years is infamous."

The President then resumed the examination of Lacenaire relative to the different acts of forgery and swindling that he had committed, but the prisoner treated these as mere trifles, saying, "You produce upon me at this moment, Sir, the effect of a surgeon who amuses himself with trimming a man's corns, when he is about to cut off his leg."

Bills of exchange and other papers, to the number of eleven, were then handed to Lacenaire, which, with a smile upon his countenance, he admitted bore his signature.

Lacenaire requested to have read a *procès-verbal* of a Commissary of Police, proving an attempt on his life by the prisoners on the in-

stigation of François, while they were in the prison of La Force.

The President acquainted the jury that the man named Baton had been suspected of being a third party to the assassination, but had clearly established an *alibi*.

M. Bellon, collecting clerk of the banking-house, Pilletwill, deposed that on the 30th of September, he went to the Rue de la Chanverrierie to receive the amount of a bill of exchange drawn for 1,541f. 50c. He had with him 91,343f. The name of the acceptor being badly written, witness asked the porter for M. Bruer, or M. Brouet, who, not being known, and witness having doubts as to the payment of the bill, from the appearance of the house, went away.

Lacenaire said the bill was signed Louis Bonin, and the projected robbery was to have been committed by Baton and himself.

Baton, aged thirty-three years, was introduced, on which François changed countenance. This witness deposed that he was a chorister at the Ambigu Comique. He knew the three prisoners, but had no recollection of having been applied to by Lacenaire to commit the robbery alluded to, in consequence of Lacenaire's accomplice, Avril, having been arrested. Neither did he remember having proposed to Lacenaire an accomplice who would commit a murder for 20f. He admitted to have presented François to Lacenaire at the latter end of December; that he saw François in company with Lacenaire on the 31st, on which occasion, on the arrival of François, Lacenaire said, "What, then, you left me?" François replied, "My good friend, I thought you were arrested;" to which Lacenaire rejoined, "It is not your

fault that I have not been arrested." François was dressed in a shooting-jacket, and Lacenaire in a frock-coat. On the following day they had changed clothes.

The President remarked, the importance of this testimony, inasmuch as it confirmed the assertion of Lacenaire, relative to the exchange. François, during this examination, was visibly agitated.

Baton further deposed, that Lacenaire told him he had slept with François on the 31st of December, the night of the attempt on Genevay, at the house of a friend, who, he thought, was named Magniac (Magny.) He denied any knowledge of the murder of Chardon until the day following that event, nor did he receive after that day any proposition to co-operate in the robbery of a collecting clerk.

M. Germain, collecting clerk of the house of Rougemont and Lowenberg, deposed that he went to the Rue de la Chanverrierie, No. 14, to receive 1,000 francs, the amount of a bill of exchange signed "Bonin." The porter went up the stairs with him, and, shutting the door of the room, left him with two individuals. The parties holding no money, witness retreated as quickly as possible.

M. Vigoureux, cashier of the *Bon Sens* journal, became acquainted with Lacenaire at St. Pelagie, where, being in a state of great distress, he applied to him for assistance. He paid him for several articles which he wrote for the *Bon Sens*.

Lacenaire asked of the witness, what had become of a second manuscript of songs which he had forwarded to him. Witness denied having received more than one. Lacenaire said, that a song entitled

"Petition d'un Votant au Roi" had been taken from that manuscript.

M. Brouchant, counsel of Lacenaire, represented his client as belonging to an honourable family, and as having been drawn by an irresistible fatality into misfortune. Lacenaire had met in society a nephew of Benjamin Constant, whom he killed in a duel, after which every door was shut against him. Condemned to a year's imprisonment for swindling, he was subsequently reduced to the necessity of living by robbery. The advocate inferred from his conduct that he was under the influence of mental derangement, and had committed crime for the purpose of dying on the scaffold; that, as a being of morbid intellect, he should be confined, but not condemned to death as a criminal.

Lacenaire, during the address of his advocate, concealed his face with his hands, and affected to sob.

Lacenaire, in his address to the jury, said, "Gentlemen, one of the advocates has told you that I desire to live; no, gentlemen, life has no attraction for me. I am no stoic. Give me money and fortune, and the enjoyments of life, I will accept them at your hand, but the life of the hulks would be insupportable. I ask no favour. Deal with me as you think fit."

François, in his address to the jury, said, "You have just heard the orator Lacenaire. The contradictory statements he has made must show you the falsehood of the pretended revelations of that vile assassin. I fear death as little as he does; but I fear an ignominious death. Yes, wretch (said he, turning to his fellow-prisoner,)

—yes, dastardly fiend of the human race, I would march to the scaffold with undaunted step; but you will play the craven's part."

Avril read a memoir of his life in his defence.

At half-past 1 o'clock in the morning the jury returned a verdict of—"Guilty of assassination and robbery against Lacenaire and Avril;" and found François guilty of an attempt at assassination, with extenuating circumstances.

Avril exclaimed, "I am condemned unjustly—I will accept no grace—I will not accept a condemnation to the hulks—die I will—it will be a judicial assassination. No, I will accept no grace."

The court passed sentence of death on Lacenaire and Avril. François was condemned to hard labour at the hulks for life.

16. EXTRAORDINARY AFFAIR.

—JERSEY.—A French gentleman, named Marin, called on some persons near St. Saviour's, and stated that a young lady was lying dead in a field close by. On accompanying the gentleman to the spot pointed out, the statement was found to be true. The deceased was instantly removed to the nearest house, and M. Marin, apparently much distressed, was led home. The constable of St. Helier's being applied to, quickly repaired to the lodgings of M. Marin, who, on being apprehended, said, that on Saturday night, between 7 and 8 o'clock, he went away from his house, in consequence of what had passed there, and bought of several apothecaries small quantities of laudanum, under pretence that he had the tooth-ache, and filled two small bottles with it. A few seconds after, that is about 8 o'clock, he met Miss Bethell at the corner of Burrard-street, near the house

of Mr. P. Hotton. She told him, that in consequence of what had just taken place, she had taken a phial of laudanum from Mr. Barber's and had swallowed the contents. He wished to conduct her home that she might take medicine to neutralize the effects of the poison; but she refused, and begged he would not use violence to compel her. He then said that he was decided to do like her, and told her to wait there until he had procured more laudanum, for he had not sufficient, she refused to wait for him in that place lest she should be observed, and proceeded towards Clare-street, behind the Parade, whilst Marin went to Mr. Lean's, where he procured another small phial of laudanum. He afterwards joined Miss Bethell in Clare-street, and there he swallowed the poison. They then took the road to St. Aubin's with a view to die in some retired spot; but they afterwards altered their minds and went on the road to Rouge Bouillon. They went up the road of the Pouclie, beyond Clarendon-road; and he having assisted Miss Bethell to get over the wall of a small house, called Hibernia Cottage, they both passed the night under the portico of the house, awaiting the effects of the poison. They came away at the break of day for fear of being seen, and repaired to the new road which Mr. Nicolle has been opening near the nursery garden of Mr. Rene Langelier, where they remained until the hour when the shops are usually opened. The rain beginning to fall, he conducted Miss Bethell to a small green summer-house in a field belonging to Mr. Ricard, and then came to town to buy more laudanum. He came down New-street, and enter

ed Mr. Christie's, where he procured an ounce in a phial. He then went to Mr. Dupre, where he also obtained some in a smaller phial. After which he went back to join Miss Bethell again. It was then about 8 o'clock, Sunday morning. After rejoining Miss Bethell in the summer-house, they repaired to a shed situate in a large field, called the Bullock-field, near the Mont Millais. They were about half an hour going to it. There they took a part of the laudanum, but towards the close of night, the poison not having yet operated, he divided the laudanum that was remaining in the large phial in two portions, about equal, and, after giving one portion to Miss Bethell, he swallowed the other. This not having yet produced the result they anticipated, he came to town again, about half-past 8 o'clock in the evening, and, after trying in vain to procure arsenic at an apothecary's in town, and at Mr. Gallichan's, he went to Mr. Bannister's, where he complained that the rats ate his pigeons, and asked which was the best way to destroy them. He was told that in general arsenic was used against rats, and he then asked for and obtained twopennyworth of the poison. He also asked for an ounce of laudanum, but the apothecary replied that he could not give such a quantity without witnesses. Thereupon he left the shop, and went back to Miss Bethell under the shed. They then took the arsenic by pinches, and lay down to await death. Miss Bethell expired on Monday morning! The surgeons present having declared that Marin could be removed to prison without any danger, he was sent back to gaol.

Marin confessed that, during

the Sunday night, Miss Bethell, gently pushing him with her hand, inquired if he was dead. On his answering in the negative, she said, "Oh! then let me die before you!"

21. DREADFUL ACCIDENT IN GREENOCK.—About half-past 11 o'clock at night, the dam on the Cartsburn rivulet, at the back or south side of the Whinhill, at Greenock, burst, and in its progress towards the sea overflowed almost the entire of the suburbs of Greenock, called Crawfordsdike. Many lives were lost, and much property was destroyed. A man of the name of Alexander had gone out to feed his horse, and nothing was heard of him until the receding of the flood, when it was discovered that the stable, and with it poor Alexander and his horse, had been swept away by the torrent. They were found, mingled with other corpses, amongst heaps of rubbish, at the foot of East Blackhall-street. In one house alone there were four persons drowned; and another man, the miller of the Cartsburn flour-mill, and his family had a very narrow escape; at the moment of discovering the water rushing into the house, he, assisted by his family, cut through a partition in the mill, and gained access to an upper floor, from whence they made their escape along the troughs. This is the second time this dam has burst; the first was about 20 years ago, when it was equally destructive to property.

24. STEAM-BOAT ACCIDENT.—An inquest was held on the bodies of William Grittain, Richard Hallet, and William Freeman, who lost their lives on Saturday morning last off Greenwich by a ship's boat, in which they were, being

run down by the Princess Victoria steam-packet.

William Freeman stated, that he was mate of the Admiralty yacht. On Saturday morning last he left Woolwich Dock-yard, with nine others and his son in a launch, for the purpose of proceeding to Deptford creek. The boat was a man-of-war's launch, of about six or seven tons' burden. William Grittain was steering the boat, and Hallet was pulling an oar. Daniel Kingsworth was the master of the boat, the other men were all riggers, and had been all their lives seafaring men. It was flood tide when they started from Woolwich, and it was about 10 o'clock when they were off Crawley's wharf, Greenwich. The launch was rowed by six oars; the deceased Grittain was steering with a sweep oar, proper to manage. The anchor in the boat weighed 900lbs. The boat was steered towards the north shore, and on arriving off Crawley's wharf, at the eastern end of the Royal Hospital, they saw the Princess Victoria steamer coming, and said to the man at the helm, "What do you mean to do?" and he asked all hands which way the steamer meant to go, whether to the southward or to the northward. Witness said, "You had better go to the northward and get in shore, and then the steamer cannot come near us." The man hesitated to comply, and the steamer came within three of her lengths of them, when Kingsworth took hold of the oar and swept the boat's head round to the north shore. Witness then stood up and waved with his hand for the steamer to go to the southward, hailing them at the same time as loud as he could hollow. There was one man on the starboard paddle-box, and witness kept his

eye on him. He had his hands in his pockets, and appeared to take no notice of witness's signals. Witness then began to be alarmed, and Kingsworth told them to "give way" (pull hard), and they all pulled as hard as they could. They were then pulling direct to the northward, and the steamer came on and struck the gunwale of the boat on the larboard side, and she filled and went down immediately. The steamer never altered her course.

On his cross-examination, the witness stated, that if the man at the helm had not hesitated, but had gone to the northward immediately, he believed they would have avoided the steamer.

Daniel Kingsworth, another of the men who was in the boat when it was sunk, gave evidence of precisely the same nature as that of the preceding witness, and said that the steamer did not stop till the boat was struck.

Henry Stratford, a seaman on board the Princess Victoria steamer, said he heard the captain, who was on the larboard paddle-box, call out to the boat to pull ahead. The boat's head was to the southward, and if they had continued going they would have gone clear, but they put the boat's head to the northward. Witness then waved his hand to them to the northward, but the men jumped up in the boat and left off pulling, and one man backed the larboard oar, which brought the boat's head upon the steamer and occasioned the accident which took place. Witness could not say what part of the boat was struck. The steamer was stopped before the collision took place some time; if it had not been so, not a man would have been left alive, and the boat would have been broken to pieces.

Mr. Stavers, the captain of the *Emerald*, said he examined the boat a few hours after the occurrence. Her gunwale only was broken to the depth of about five inches and a-half. From the nature of the injury he should say the steamer could not have struck the boat when she had any way on her. Had the steamer been going fast, it would have been knocked to pieces.

The jury returned a verdict of "Manslaughter" against Robert Fairbairn, the commander of the *Princess Victoria*.

25. An inquest was held on the body of John Mackerrell, Esq., a gentleman of large property, formerly holding a high situation in the civil establishment of the East-India Company at Madras, who committed suicide, by swallowing prussic acid, while labouring under a most extraordinary paroxysm of delusions, to which he had been subject on every alternate day for the last four years.

Dr. James Johnson deposed, that he had attended the deceased professionally for the last four years, and always for the same malady—namely, an extraordinary state of delusion under which he laboured every alternate day, accompanied by most dreadful horrors and depression of mind. He did not feel himself at liberty to mention the precise delusions under which the unhappy gentleman had laboured, as he had made a solemn promise, prior to their being professionally made known to him by the deceased, that he would never divulge them to any human being. He might however state, that they had not the remotest reference to any act of moral guilt, or to any circumstance in which the community could have an interest, but

turned on an idle circumstance equally unimportant to himself and to others, but still were capable of producing a most extraordinary horror of mind. The statement of the delusions could not throw any possible light on the object of the present inquiry.

The witness stated, that he last saw the deceased on Sunday, the 15th instant, which was one of his "good days," for deceased used to designate the alternate days "his good day and his bad day," and it was a most singular fact that the very day on which he committed suicide was one of his good days." On his "bad days" he would not see any one, not even witness.

Dr. Johnson said, the delusion was not of a kind that would have justified any restraint being put upon the actions of the deceased. No jury would have pronounced it to amount to insanity, nor did witness apprehend any danger of suicide, for the deceased in his conversations with witness frequently said, that what he was suffering in body and mind might induce many men to rush madly upon suicide for relief, but he had too high a moral and religious sense ever to be guilty of such an act. Witness had, however, written to the sister of the deceased, disclosing his state of suffering as far as the promise of secrecy would permit, but advising her not to come up from Scotland to attend him, as he had an aversion to being seen by any one, and most especially his near friends, during his paroxysms. The deceased occupied apartments at Mr. Vickery's 154, Regent-street, where, when at home, he led a very retired life. He had latterly been absent at Cheltenham, and it was shortly after his return thence that wit-

ness last saw him, when he enjoined witness not to call again till the tenth day next ensuing. The act of suicide was committed on the very day before the tenth. Yesterday morning, in consequence of Mr. Vickery calling on him, and making a communication, witness went to the deceased's apartments, and found him lying with his clothes on in the sitting-room, with his face downwards, and quite dead. There was an empty phial, labelled "prussic acid," and an empty wine-glass standing on a table close by; both had evidently recently contained this deadly poison, and from the appearance of the body he had no doubt it was the sole cause of the deceased's death. During the days of his delusions the deceased suffered so extremely that he could not be considered sane. The delusion was a species of *monomania*, leaving him in all other points perfectly sane at all times. The malady occurred with undeviating regularity every alternate day; whether travelling by sea or by land, or however circumstanced, the deceased declared his attacks were precisely the same as to the period of occurrence and duration. They commenced when he woke, and never left him all the day through. The deceased described the disease to have had its rise about four years ago, immediately after the first election for the borough of Paisley, when he was a candidate for its representation, but was defeated. It was not so severe at first, but has been gradually increasing in strength ever since. The deceased was a highly-educated gentleman of very superior intellectual powers, he had seen very few men equal to him. The delusion did not follow immediately after the elec-

tion, but was preceded by an infirmity of body, out of which the mental disease seemed to take its rise. Witness had no doubt that at the period the deceased swallowed the poison he must have been momentarily labouring under insanity.

Dr. Robert Lee, physician, of Golden-square, was called in after the deceased's death, and saw him about seven o'clock the same evening. He had no doubt his death was caused by prussic acid. An empty phial and wine-glass, which had contained that poison, were lying on the table, and by their side was a sealed letter, addressed to Mrs. Vickery, which Mrs. Vickery took up and broke the seal of in presence of witness and read.

The letter was here produced. It was written in a very good hand, without the slightest trace in the writing of the least nervous agitation. It was carefully folded, and impressed with a motto seal in black wax. The following is a verbatim copy:—

"154, Regent-street, Nov. 24.

"My dear Mrs. Vickery,—My mind is so completely unhinged by long suffering, that I have at length determined on committing suicide. I have written to my family to inform them of my intention, and my brother will probably proceed to London as soon as my letter is received. Keep my keys in your possession till his arrival, and then deliver to him my effects. He will settle all my accounts. I wish you and Mr. Vickery health and happiness, and that your family may prosper."

"I am truly yours,

"J. MACKERRELL.

"P. S.—As I wish my body, if possible to be removed to Scotland, do not let it be buried before my brother's arrival."

Elizabeth Findlater, servant to Mr. Vickery, had attended the deceased for the last six years. On Tuesday the deceased went out about a quarter to three o'clock, and

returned about half an hour afterwards, and went to his sitting-room. He soon after rang his bell for a wine-glass which she brought him on a waiter and placed on the table. About four o'clock he again rang, and on her going up she found him standing by the fire, with two of his laundress's bills in his hands, which he gave her, and desired her to go to her mistress and get the money and pay them. There was then no letter or phial on the table, and the wine-glass was exactly in the position in which she had placed it. Witness again entered the room at seven o'clock, to see about the fire, and then found the deceased stretched on the floor, apparently lifeless.

By the Coroner.—She observed nothing unusual in the deceased's manner at three or four o'clock that day. She did not take any letters to the post that morning. Deceased usually put his own letters into the post. She never suspected anything wrong in his head. Never observed anything wrong or unusual in his manner. Had never heard from Mr. or Mrs. Vickery, or any person, that there was any peculiarity in his mind. The deceased always dined at home, generally between five and seven o'clock. It was brought up on his ringing, but he never rang for it on the day he committed suicide. It invariably consisted of two mutton chops, without any vegetables. She saw him every day, but on particular days he would see no friends or acquaintances. He would frequently lie in bed for an entire day, generally one day in each week, and on those occasions he merely had breakfast brought him, and some dry toast about mid-day. She was the only person that saw him regularly

every day. He was in the habit of speaking to her whenever she had occasion to enter his room.

Mr. Vickery said he had never any reason to suppose the deceased insane, except from his strange conduct respecting two projected journies to Scotland. The first was in 1834, when the deceased booked himself by mail to Paisley but after reaching Manchester left the mail, and returned to London by the first coach, and then again booked himself by mail to go to Paisley the same night, and went as far as Birmingham, and thence returned as before. He a third time booked himself, but never started, and sent witness to make the best bargain he could as to getting back a portion of the money. A few days after he again booked himself, and then actually made the journey, and did not return for some weeks. In the present year, about July, he booked himself for Edinburgh, and on the day he ought to have started he sent for witness, who found him in bed; and witness, by his desire wrote, and put in the post a letter addressed to deceased's sister, informing her he was too ill to make the journey, yet he afterwards got up and went by the mail. The deceased, prior to the Paisley election, was in the regular habit of dining at the Oriental Club, but had since led a very retired life. The deceased was very regular in his habits, and always settled his household accounts every Wednesday; but it was a remarkable fact that this week he had called for and settled his account with Mrs. Vickery about one o'clock on Tuesday, the very day he committed suicide: deceased was a man of rigidly temperate habits.

After some time had been spent

in consultation, the coroner suggested taking the opinion of the jurors *seriatim* for lunacy or *felo de se*, when there were found to be fifteen for a verdict of lunacy and five for *felo de se*.

A verdict of "suicide during a state of temporary lunacy" was then recorded.

27. FIRE AT HATFIELD HOUSE.

—DEATH OF THE MARCHIONESS OF SALISBURY.—In pursuance of her usual custom of passing the Christmas with her son, the dowager marchioness of Salisbury had on Thursday arrived at Hatfield-house, and taken possession of the apartments which she had occupied in the west wing of the mansion ever since the death of her husband, the late marquis. These apartments were on the first and second story of the building. On the afternoon of Friday last, she retired a short time before dinner to her dressing room to write a few letters. At five o'clock her maid entered her apartment and found her writing by the light of two candles. Her ladyship complained of the dimness of the light, and requested her maid to bring to her her own bed-candle, alleging that she always saw better by it than by anything else. The bed-candle was brought according to her orders, and the maid left her ladyship, who wore a very lofty head-dress, writing by these three tapers. About half-past five o'clock, fear was felt by the female servants of the house in consequence of the volumes of smoke. One of the housemaids, who perceived a dense pillar of smoke hovering over the staircase of the left wing, was the first to raise the cry of fire. The alarm was then communicated to the marquis

and marchioness of Salisbury, both of whom exerted themselves to the utmost to rescue their venerable relative from her horrible fate, but in vain. Lord Salisbury attempted to force his way into his mother's dressing-room, through a door which opened into it out of a sitting apartment, but it was locked; his lordship next endeavoured to reach another door, which opened into it from the domestic offices belonging to that wing of his mansion. He succeeded in reaching that door, but on opening it, found it so enveloped in flame and smoke as to render it impossible for any person to enter. The floor and ceiling of the room were then blazing with such violence as to render all hopes of rescuing her ladyship through the windows utterly desperate. As soon as it was found that all efforts to save the dowager marchioness were unavailing, the fire-bell was rung, and engines shortly afterwards arrived from Barnet, St. Alban's, and Hertford. The flames, however, continued to rage, and the prospect of checking them appeared very remote, owing to the deficient supply of water. The part of the west wing which looks down the noble avenue of trees, by which Hatfield-house is approached from the south, was speedily gutted by the fire. The roof fell in with a tremendous crash. The marchioness of Salisbury was buried amidst the ruins.

—ALLEGED DEATH OF A SOLDIER BY FLOGGING.—An inquest was held at the Marine Barracks, Woolwich, on the body of Thomas Ramsby, a private in the Royal Marines, who died in the military hospital on Sunday last.

The coroner read a letter which

he had received from colonel M'Cleverty, which was to the following effect:—

“ Sir,—Thomas Ramsby, a private in the regiment, was sentenced to receive 150 lashes, part of which was executed, and he is now dead. I have therefore to request you will take the necessary means to make the required investigation.”

David Buchanan had known the deceased about twelve months. About three weeks ago, he came to the hospital, after receiving punishment. The back of the deceased, on his admission to the hospital, exhibited the usual marks of punishment by the lash. It was bloody, and part of the skin was gone. His arms were not marked. The deceased had been in the hospital three times during the last twelve months. He was about seven weeks ago labouring under a slight attack of syphilis.

Mr. William Billings, assistant-surgeon, deposed that he saw the deceased when he came to the hospital, and examined his back, which was a little contused from the number of lashes he had received, but it was not worse than others he had seen. The wounds, as was customary, were dressed with wadding only. He appeared to suffer much, but made no complaint. At first he got better. When the wadding was removed ulceration had taken place, and everything that was necessary was done. A change took place on the fourth day, and the injured parts sloughed off. The deceased was then in high feverish excitement, and three days before his death was seized with locked jaw. The punishment was the exciting cause, and the locked jaw the

proximate or immediate cause of death. Another exciting cause was his irritability. Witness had been twenty-five years in the division, and never before knew of a locked jaw proceeding from flogging. There were no symptoms before it took place. Had seen men take 300 lashes. The charges against the deceased were non-attendance at parade, disorderly behaviour, drunkenness, and desertion. He was also charged with making away with his clothes, and resistance to the guard while in custody.

Colonel Robert M'Cleverty had full power to order a court-martial, and had done so in this instance. Witness sanctioned the whole proceeding, and was present at the execution of the sentence. The deceased was taken down at the order of the surgeon; he did not appear much exhausted or severely punished, but witness had no power to dispute the surgeon's order, and did not ask the reason of it. The deceased walked away from the triangles. Mr. Parkins told witness during the punishment, that the punishment would not mark his back. The surgeon did not go up to the man, but stood at a short distance from him. The punishment was inflicted in the usual way, and witness expected the man would be quite well in a few days. Witness ordered him to be drummed out, because he was incorrigible, and to prevent him getting into any other service. Twenty-five lashes were given by one drummer, who was then relieved. The same cat is used throughout. All the drummers, including boys, are ordered out to do this duty.

Serjeant-major Chapman was

present during the punishment of the deceased, and checked the drum-major in counting the lashes. He received 134 lashes. The flogging was the same as usual, and the man did not suffer more than others.

Mr. William James Hunter, surgeon to the regiment, saw the back of the deceased when he came to the hospital. It was slightly lacerated and bleeding. Witness put him in a chair and sponged his back, which was afterwards stuffed with wadding. It is not usual to remove the wadding the next day, unless the hemorrhage is very great. On the 19th witness was sent for at ten o'clock at night, and found him labouring under pain in the chest and abdomen, and fever. He had complained of tooth-ache in the morning, but refused to have the tooth extracted. Tetanus followed, and the symptoms increased until he died. Witness attributed his death to his violent temper preventing his recovery.

Foreman.—Do you think that irritability will cause tetanus?

Witness.—A very slight cause will produce it. He never would comply with the directions of his medical adviser. He had been five times in the hospital; and on one occasion he broke out of it on a Sunday night, and deserted in October last.

Mr. Henry Parkins, surgeon to the regiment, saw the deceased punished, and ordered him to be taken down when he had received 130 lashes. He had been often in the hospital and had refused his medicine, and behaved in a very refractory manner; and as he was to be drummed out of the regiment witness thought the sooner his back was healed the sooner he would be

got rid of, and for that reason alone he ordered him to be taken down. Two days after his punishment he was so well as to wish to be let out to walk about, which was not allowed. The habitual excesses of the deceased had produced a morbid debility, which made the punishment more dangerous than it would have been to a healthy man. Never saw locked jaw produced by flogging during forty years' service on sea and land.

By the Foreman.—The locked-jaw was the consequence of the flogging, the deceased being so predisposed; but that could not be foreseen.

Mr. Butler, surgeon, had examined the body, but could not account for the death of the deceased by the external appearances. Could not ascertain by a *post mortem* examination whether the deceased had locked-jaw.

Mr. Bossey, surgeon, agreed in opinion with the last witness. Tetanus might arise from any injury.

By the Foreman.—The disease of which he died was purely accidental, and not resulting from the punishment. It originated in the peculiarity of his constitution. Tetanus is often spontaneous, and may be produced without any wound.

By the Foreman.—Nothing either in the nature or degree of the punishment would necessarily produce tetanus, but it might have accelerated it in this case. A burn would cause it.

The Jury returned the following verdict:—"That Thomas Ramsby came by his death in consequence of a locked-jaw, arising from the punishment received in pursuance of the sentence of a court-martial held upon him."

27. CENTRAL CRIMINAL COURT
STEAM-BOAT ACCIDENTS.—William Allen and Richard Clark were indicted for having caused the death of Thomas Clarkson, by unlawfully navigating, propelling, and forcing a steam-boat, called the Royal Adelaide, of which they had then the charge, as master and pilot, against a small vessel called the Fawn, on board of which the said Thomas Clarkson was, on the river Thames, in the parish of Plumstead, on the 29th of October last.]

Henry Baker, aged 15.—I was aboard the Fawn with my father, and Holt, another boy, when it left Whitstable. Mr. Clarkson was also on board. The accident occurred above the Galleons, the reach opposite to Woolwich. The tide was running up, and we were tacking about. This was necessary from the state of the wind. We saw the lights of the steam-boat. The Fawn's head was then to the northward. We could not tell the direction of the steamer, nor how far she was off. When we first saw the lights we did nothing. We afterwards saw its hull, and the steamer then seemed to steer to the northward. We put about and came with our head to the southward to tack. We all hallooed to the steam-boat to starboard her helm. We hallooed more than once. We had changed our course, but the steamer had not. When we hallooed the second time, we observed the steamer porting her helm. That brought her more towards us. She then struck us about $3\frac{1}{2}$ feet after midships on the starboard side. I got hold of the cross-bar by the figure head; so did my father, and got aboard the steamer. We found nobody forward. Went as far as the foremast. Saw the men sitting in a

place on the starboard bows. Saw the pilot on the larboard paddle-box, but no one else. I knocked at the door of the place where the men were sitting. They came out and asked what was the matter. Three came out first. They saw our vessel under the bows, and chucked a rope over. Holt was then on the deck of the Fawn. He could not reach the rope. My father got down from the figure-head on board the Fawn; gave Holt the rope, by which he was drawn on board; the steamer went astern, and the Fawn went down. Did not find the captain for some time after the Fawn had gone down. He was then standing against one of the paddle-boxes. I asked him how I should get to London. He said the pilot would row me up. I saw nothing of Clarkson after the Fawn was struck. There was plenty of room for the steamer to pass clear to the northward.

Cross-examined by Mr. Clarkson. —We could see the steamer's lights over the point before we came to the reach. I was at the helm of the smack alone, but my father was on the starboard bow. Mr. Clarkson was in the cabin asleep. I did not leave the tiller until the Fawn was struck. We carried no lights in the binocle. We steered by the wind, not by the compass.

Mr. Baron Alderson here interposed. Undoubtedly, under the circumstances described, it was the duty of the persons having charge of a steam-boat to station some one properly to look out; but the captain, who might not have been on deck at the time the accident happened, could not be held criminally responsible, whatever he might be civilly, for the acts of his

servants, any more than the owners of the vessel. It was necessary to show that the death in question had been caused by some act of misconduct or negligence personally on the part of the captain, in order to bring him within the operation of the criminal law. It was quite true that he might be civilly responsible, but so were the owners; in a criminal action, however, a man was responsible only for his own acts. It appeared there was not even a light in the binocle of the *Fawn*, and he never heard of such a thing before in any vessel at night. Besides, there was another indictment which charged the defendants with the manslaughter of Richard Baker, father of the last witness, although it had been proved that he (the father) leaped from the figure-head of the steamer into the *Fawn* after the collision had taken place. He put it to the counsel for the prosecution whether, in the absence of more direct and personal testimony, they could carry the prosecution further.

Mr. Ryland contended that it was the specific duty of the captain to station proper persons to keep a look-out, and that for the omission of their appointment, or any negligence in the discharge of their duty, he was personally responsible.

Mr. Justice Park. — As well might you charge the owners of the vessel. And certainly in a civil action they would be responsible, but in a criminal action there must be proof of direct personal negligence or commission.

The jury returned a verdict of *Not Guilty*.

DECEMBER.

3. DESTRUCTIVE FIRE. — A jury was empanelled to inquire concerning the death of William Davis, aged thirty-eight, Catherine Rogers, aged twenty-two, Louisa Tozer, aged twenty-four, and Mary Anne Singer, aged twenty-one years. The following evidence was taken:—

John George Parnell Heyliger. — About a quarter past 11 o'clock on Tuesday night witness was sitting at a house directly opposite Messrs. Chinnock's premises, 219, Tottenham-Court Road, when he heard the cry of "Fire!" Witness rushed out, when he found Messrs. Chinnock's house on fire. He immediately ran to the front shop door, which opened into two; one-half of which had been opened by a man who was standing there. Witness then dashed the other half in, and saw a blaze of fire coming from the well of the staircase. Witness finding he could not get up stairs that way, carried several large looking glasses and other valuables into the street. While doing so, witness heard a cry that persons were at the windows up stairs, and he accordingly rushed out and endeavoured to get up to the balcony, thinking he might by that means enter the first floor windows, in which he succeeded. At that moment witness, on looking up, observed some sheets hanging down, and a female suspended by them. Witness called to her to lower herself. She slipped down, and witness caught her in his arms. Witness lifted her over into the next balcony. Witness then saw Mr. Chinnock, sen., on the balcony. He having only his

shirt and trousers on. Witness then got into the first floor window. The room was full of smoke, and on opening the staircase door, an immense body of fire rushed upon him, which compelled him to retire.

Mr. Frederick Chinnock resided with his father in the premises destroyed. The deceased Davis, with his wife and child, occupied the second floor. Louisa Tozer was the servant, and slept in a room on the first floor of a building at the back. Catherine Rogers was also a servant, and slept with Tozer. Mary Anne Singer was a niece of Mr. and Mrs. Chinnock, sen. She slept at the top of the house. Besides the above-named persons, witness's father, mother, four sisters, a brother, and witness, and also a Mr. and Mrs. Cavill inhabited the house, which was a double one. Witness was at home the whole of Tuesday evening after 5 o'clock. About a quarter to 11 o'clock, Catherine Rogers came down stairs and desired him not to fasten the door, as Mr. Cavill was out, and after she had wished him "good night" she went down stairs, as she said, to iron. Witness then went into a parlour at the back of the shop, and began reading a book, and after he had got through six or seven pages, he heard a sudden gust of wind, which occasioned him to start up, but he saw nothing; in less than a minute after that he heard shrieks from below stairs. Witness instantly jumped up, and took hold of a rug, thinking some person had caught fire. He then opened the door, and turned to the left to go down the passage, when he saw the flames rushing through the window of the back workshop. Witness then called to the servants

below to come up, after which he rushed through the front shop to the door, which he opened, and began climbing up the front of the house to endeavour to rescue his family. Witness got to the balcony, and saw his father, mother, and an invalid sister at the window of the second floor screaming for help. Witness had no means of reaching them, and he called to the populace below, who had assembled in great numbers, to come up and help, but not one came. Witness then called to his father to let his sister down, which he did, and witness caught her and handed her to the persons below. Witness then clambered up the first floor window, and succeeded in catching hold of the sill of the second floor window, at which time he observed his father letting himself down by a sheet. Witness then called to his mother to do the same, but she slipped, and witness caught her with his right hand, and let her drop into the arms of Mr. Heyliger. Witness all that time was supporting himself by his left hand from the window sill. Witness then went into the next house for the purpose of getting out at the attic window, but on being told by a person on the stairs that all the persons were saved, he went in search of his family, whom he found at the houses of different neighbours, with the exception of his cousin (the deceased) and the servants. He then again rushed over to the house, and called for them at the area gratings, and was trying to get up the grating, when the firemen cried out that the building was falling, and witness had not escaped a second before the whole fell in. Witness then went to the back, when find-

ing the whole one body of fire, he gave up all further efforts.

Mr. Frederick Chinnock said, that one of his sisters went to get a glass of water from a cistern at the top of the house, and while doing so, a large body of smoke burst upon her, when she ran down to her father's and sister's rooms, and, after alarming them, made her escape from the attic window, and passing along the parapet got down the next house.

The jury returned a verdict of "Accidentally burnt to Death."

10. COURT OF ASSIZE, LOWER ALPS.—Joseph Rizou was a farmer residing in the commune of Revest de Bion, arrondissement de Forcalquier. Under the pretext that their father did not manage the farm well, his children had shown a desire to take it into their own hands. From these differences arose daily quarrels, and Rizou had often been heard by his neighbours to complain of the heartlessness of his children, whom he described as "tigers," declaring it to be his belief that they would one day take his life.

On the 28th of June last, he having refused to make a division of the property among his family in the presence of a notary, as they wished, they resolved amongst themselves to make away with him, and the execution of their project was fixed for the ensuing day.

On the 29th of June, between seven and eight o'clock in the morning, the father, it was alleged, was suddenly alarmed by their entering his bed-room and seizing upon his person, for the purpose of putting into execution the deed which they had the day before planned. The eldest son took his arms and tied

them behind him. His wife then held his hands, to prevent his making any effort to disengage himself; and his daughter held his legs, whilst the eldest son put a rope with a noose to it round his neck, which having drawn tight, he gave him a heavy blow on the back of the head, and then drew him up by the rope. In about two minutes the man was lifeless. The body was next carried into another apartment; his night-clothes taken off, and he was dressed in clothes in which it was intended to bury him. A cravat was put round his neck, in order to conceal the marks of the rope, and the neighbours were then called in and told that Rizou had been found dead in his bed. A girl named Therese Blanc, employed on the farm, being thirsty, went to the house to get something to drink. When she entered she heard a great noise and confusion up stairs, and not being able to conceive what could be the cause of the unusual occurrence at so early an hour, went up and beheld the children in the very act of strangling their parent, at the instigation and in the presence of their mother! Therese afterwards gave information of the murder to the mayor, and was the principal witness against the prisoners at the trial.

Their defence was, that deceased hanged himself, and that he was cut down by his family, but not until it was too late to save his life.

The prisoners were all acquitted.

10. SHIPWRECK. — The cutter Margaret left Granville at ten o'clock A. M. (wind S.S.E.), with a crew of four men, including the master; and eleven passengers. At

six o'clock *p. m.* she anchored near Chausey till seven, at which hour she proceeded for Jersey.

The captain, at twelve *p. m.* (the latter being then about a mile from shore, opposite La Motte Point, St. Clement's Bay,) observed the sea breaking close to her, and, just before she struck, ordered the helm's-man to bring her hard up, as there were rocks ahead. This caution was too late, as the Margaret's keel came in contact with one of the sunken rocks. Upon this the passengers, most of whom were below, immediately rushed upon deck, except a Frenchwoman and two young children, who remained in their births.

One of the passengers saved related, "That when he went upon deck he observed that the vessel was already on one side, and that he saw two men in the shrouds, apparently looking out for the coast. The Margaret then struck twice more, and was already beginning to sink, when he climbed up on the off side, and saw a sailor, who had jumped into the sea to recover the boat which had drifted a few yards off. When this individual had succeeded in his efforts, he brought the boat close to the vessel; and two of the sailors, with himself and another French gentleman, then jumped in also, just as the cutter was going down with the rest of the crew and passengers. The cutter disappeared, and not a vestige remained but a few trunks floating on the surface of the water. The boat being ready to sink, they were obliged to keep her free, by emptying the water with their hats, and with an old cup that happened to be accidentally in her. About two minutes elapsed between the time

the vessel first struck and that when it went down. She was very much loaded, and was going at the rate of seven or eight knots an hour.

12. EXTENSIVE FRAUD ON THE REVENUE AT LIVERPOOL. — Shortly after nine o'clock at night, a watchman discovered the door of a cellar belonging to a warehouse nearly opposite the Exchange standing wide open. Having made his captain acquainted with the circumstance, the latter ascertained that a man named Johnson, who resided in a court opposite the Foundry, in Vauxhall-road, was the warehouseman of the building above. They immediately sent for him; but before he could be found upwards of two hours had elapsed. When he arrived, he told Captain Bradford a long story of the vault having been let by Mr. Carson to a person named either Black or Blake, he could not tell which, and that the latter was somehow connected with some person who had brandy-vaults in Concert-street. Bradford and he went to Concert-street; but it became evident that the statement had been made merely with the view of misleading. On their return, it being by this time past one o'clock, they encountered Mr. Whitty, the superintendent of the watch, on his rounds. On entering the vault they discovered that it was nearly empty. A few casks were dispersed about the floor, and in one corner they found a large hog-head, full of rum. At the upper end of the vault they found a pump, made of leaden pipe, of some length. By following the direction which the pipe took, they were led to an excavation in the floor, close to the furthest wall of

the vault, which descended for about a foot and a-half, and then passed horizontally through the wall. In the opposite corner was another excavation precisely similar. Through the first of these, however, the leaden pipe which had guided them was passed. This pipe was so constructed that it unscrewed in two places, for the purpose of answering as a syphon, a cock and suction-pipe lying close to it, with a screw to answer the joints. At the upper end they found a long hose of leather, of three-quarter inch diameter. Mr. Whitty tried these implements on the spot, and found that they were all in working trim. A further examination brought to light that these excavations communicated immediately with a bonded vault. These two vaults had both been let to one individual; and he had employed them to defraud the revenue to the amount of upwards of 3,000*l*. An immense quantity of brandy, rum, wine, &c. had been bonded in one vault, and a proportionate quantity of water had been introduced into the cellar. The leathern hose was employed to force the water out of the latter into the former, while the long leaden pump (thirty feet long) was employed in making a transfer of the spirits into the free warehouse. The bonded vault was full of rum-puncheons, brandy pieces, and wine pipes, filled with water, while the more valuable commodity in the other cellar has all been removed in the vessels in which the water was brought, with the single exception of the cask of rum.

13. **TAKING THE VEIL.**—The reception of a young lady (Miss Lee) to the Presentation Convent of Kildare took place in the new and splendid parish chapel to which

the convent is attached. The chapel was densely crowded. An elegant assemblage filled the gallery and the inclosed space around the sanctuary. At the close of the mass the young lady was conducted by the Mother Superioress and her assistants to the foot of the altar, and there interrogated. As soon as the religious resumed their seats, the officiant took the mass-book, and read the epistle of the mass of the day. After the discourse, the ceremony was resumed; the young lady put off her dress, and put on the habit of the order, after which the music began, while the celebrant, officers, and attendants were retiring.

17. **ACCIDENTS IN THE FOG.**—An inquest was held at Wapping, on the body of Mr. George Paton, a ship-owner, belonging to Glasgow, aged 23 years, who fell into the London Dock on Wednesday evening, during the fog.

Mr. Jonathan Downton stated, that soon after five o'clock on Wednesday evening he was in the Wapping entrance of the London Dock, and heard a splash in the water close to the quay, within ten yards of him. He ran to the spot, and by means of a light in a lantern saw the deceased in the water, near his own ship, the *Henry*, of Glasgow. Assistance was loudly called for, and the deceased kept on the surface of the water of the basin for fifteen minutes, when he sank.

Two inquests were subsequently held on the bodies of William Henry Greedy, aged 18 years, and John Madders, 24, who perished by falling into the Hermitage basin of the same dock during the fog. It appeared from the evidence given in the first case, that Greedy joined the ship *Tribune* on Monday, and in the evening,

about 5 c'clock, he went ashore, and not being well acquainted with the place, he missed his road, and while rounding a corner of the quay came in contact with an iron butt or stanchion, which caused him to stumble, and he was immediately precipitated into the water. The fog was very dense at the time.

21. EXTRAORDINARY DISCOVERY OF VALUABLE JEWELS.—In the month of February last, the warehouse of Messrs. Hall and Co., on the Custom-house Quay, was broken into, and a box, in which there were deposited diamonds belonging to a foreign countess, and amounting to from 7,000*l.* to 8,000*l.* in value, stolen therefrom. (see page 26) From the mode in which the robbery had been effected at the Custom-house, it was the opinion of Lea, the constable, at the time, that both it and the one at Messrs. Hall and Co's had been accomplished by the same parties who had effected the Custom-house robbery. By the most singular accident, however, a portion of the diamonds has been discovered in such a manner as to leave no doubt whatever that they had been in the possession of William Jourdan. Lea, the officer, made the following statement:—He said, that having satisfied himself by inquiries, and information through various channels, that Sullivan and Jourdan were the persons engaged in the robberies, he, with much difficulty, traced out their residence in the neighbourhood of Kennington. He had no sooner done so, than they, by some means or other got information of it, and, before he could secure them, left their homes, taking with them a portmanteau and trunk each, with an excellent stock of clothes, and

took up their lodgings at the Red Lion Tavern, in King-street, Bloomsbury, where they represented themselves as persons engaged in mercantile pursuits. By this means he (Lea) lost all trace of them for several days, until a person who had been placed to watch the house at Kennington, followed and traced the brother of Sullivan to the Red Lion, in King-street. Being made acquainted with this circumstance, Lea lost no time in going to the house, and on making inquiries of the landlady of the inn, about the person (describing the brother of Sullivan) who had been there a short time before with a green bag, and the object of his calling, she said he was a shoemaker, who had called to take some orders from, and do some work for, two gentlemen who were stopping in the house.

The brother of Sullivan is a common thief, and had merely assumed the character to prevent any suspicion in the mind of Mr. Proctor and his family, and by this means he was enabled to see his brother and Jourdan often, and when seen by a fourth party his manner towards them was precisely that of an artisan. Lea then proceeded to state that from the description which he had obtained from Mrs. Proctor of the gentlemen who were at her house, he was satisfied they were the parties whom he was in pursuit of, and he consequently made such arrangements as to succeed in the apprehension of both on the following morning. At that time (the 2nd inst.), after securing the prisoners, he made what he had conceived to be a minute search of the apartments which the prisoners occupied, and had secured every thing belonging to them, but he had

now discovered that, notwithstanding all his care he had overlooked some most valuable property. After the capture of the prisoners; the wife of Jourdan and the brother of Sullivan had repeatedly called at Mr. Proctor's, and upon various occasions expressed the greatest anxiety to go to the room which had been occupied by Jourdan, but this was refused, notwithstanding their urgent entreaties. Two or three persons of gentlemanly appearance had also at different times driven up to the door in coaches with luggage, as if they had come off a journey, and eagerly asked for lodgings; but Mr. Proctor, owing to what had previously happened, refused to admit any strangers to lodge at his house, and the parties were obliged to go away. On Thursday morning last, Mr. Hanson a gentleman residing at Reading, who, when in town, was always in the habit of stopping at Mr. Proctor's, called there, and his luggage being taken into the room that had been previously occupied by Jourdan, he ordered a fire to be lit by the time he came home in the evening. This was done by a charwoman, who is in the habit of attending the house, and that being the first time since spring that a fire had been made in the room, she threw a quantity of what she conceived to be rubbish which had accumulated during the summer months under the ornamental paper in the grate, on the top of the coals after the fire had been made up. In the course of the night the attention of Mr. Hanson was attracted to a most brilliant substance in the centre of the fire, and on taking it out with the tongs he, on inspection, found a brooch of considerable size set

with pearls, but the greater part of the gold mounting had melted from it. This circumstance led him to examine the fire more minutely, and he found two more, one of a larger and one of a smaller size, but which, as well as the former, had been seriously damaged by the fire. On communicating the circumstance to Mr. Proctor, the fire and the ashes underneath were carefully examined, and seven good sized brilliants, seven emeralds, one of which is of considerable size, and must have been of great value, and four dozen of small but sparkling brilliants, were found. Lea recollected perfectly, upon searching Jourdan's room, observing the ornamental paper in the fire-place, but not perceiving it disturbed in any way, it did not occur to him to examine it minutely, particularly as the prisoners had trunks in the room. There was no doubt on his mind that the property which had been placed there by Jourdan was of considerable value, from the anxiety evinced by his friends to get to the room to secure it, and it was not at all improbable that there was a portion of the notes stolen from the Custom-house placed there also, and if so they must have been destroyed by the fire.

26. INQUEST ON PERSONS DROWNED IN THE SERPENTINE, HYDE-PARK.—An inquest was held on the bodies of seven persons who were drowned in the Serpentine-river on Christmas day by the breaking of the ice.

J. Batson one of the Humane Society's men, stated that the accidents commenced as early as 9 o'clock on the morning of Friday, when three or four persons were rescued from death from both the north and south shore. The

ice was considered very dangerous, and every caution had been given to prevent persons venturing on it. Boards with the word "dangerous" were placed on those parts deemed unsafe, and coils of rope were deposited on the banks in readiness in case of accident. About 20 minutes before one, witness was at the receiving-house, and at this time the first man was brought in without any signs of life; he was stripped and put into a hot bath, but all attempts to restore animation proved fruitless. Within a quarter of an hour, fifteen other persons were brought into the receiving-house, nine of whom were resuscitated; but life was extinct in the remaining six. Two minutes only elapsed before the first body was placed in a warm bath.

Allen M'Castie deposed, that, on Friday, about noon, he was at the Serpentine-river. At that time, he saw nine persons fall through the ice, about 20 yards from the bank and 100 yards distant from the receiving-house, on the same side of the water. There was no assistance near, and he jumped in to save them. When in the water, one of the society's boats was brought to the spot by a lad, who was of no assistance whatever. Witness got into the boat, but before he could get near those in the water, which was ten feet deep, they had disappeared. Ropes were near the spot at the time, but the bystanders could not throw them far enough to be of any service. Witness was of opinion, that had prompt means been taken at the time of the accident, no lives would have been lost. After the alarm was given, it was some time before the necessary implements to rescue persons in danger arrived. Ropes were lying coiled up on the shore,

but the bystanders could not throw them far enough for the sufferers to lay hold of them.

Mr. Thomas Higgs deposed, that he was at the Serpentine-river about half-past twelve o'clock on Friday, and saw at least seventeen or eighteen persons in the water at one time, six of whom disappeared under the ice. The last witness took off his coat and plunged in to their rescue, and in every way rendered aid to preserve their lives. Several of the bystanders endeavoured to throw ropes for the men to reach them, but without effect. Witness was certain that not one of the society's men was present till some time after the accident. Every attention was paid and unremitting exertion used at the receiving-house, when the bodies were conveyed thither. Witness had been at the Serpentine-river for the last thirty years, when it had been frozen over, and had, hitherto, seen ropes placed across the river, with a man in attendance at each end, so that the ropes might be drawn over any part where the ice had given way.

The jury returned a verdict of "Accidental death."

INQUEST ON THE BODIES OF PERSONS DROWNED IN ST. JAMES'S PARK.—The coroner for Westminster held an inquest on the bodies of three persons who met with their death while skating in St. James's-park on Christmas day.

Charles Bell, police-constable, deposed, that he was ordered on duty in the enclosure near Buckingham-gate, to assist the Humane Society. About four o'clock in the afternoon he heard the ice crack, and a number of persons fell in; the life-boat was at the other end of the enclosure, and a ladder was thrown into the water with a rope

attached to it. The men struggled violently, and many were saved by the ropes; but two were taken out dead. One had been immersed twenty minutes, and the other three quarters of an hour. The witness added, that there were a number of persons skating and sliding at the time of the accident, notwithstanding placards had been posted round the park, warning the public not to proceed near various parts considered dangerous.

John Mumford, policeman, stated that he assisted in taking out another body, which was conveyed to the Westminster Hospital. This was previous to the other persons falling in. There were several persons in the water at this time; but, through the exertions of a waterman, four or five lives were saved. About forty-eight persons were immersed in the water on that day. The utmost exertions had been used to prevent persons skating near those parts considered dangerous, but all proved vain, many going over those particular portions of the canal that were unsafe. It was impossible to keep the ice clear, and the Humane Society's men were only laughed at when cautioning the parties. Many parts of the ice were rendered dangerous in consequence of the rising of the springs.

The jury returned a verdict of "Accidental death."

31. An inquest was held at the Peckham Asylum to inquire into the circumstances attending the death of Henry Stanynought, confined in the asylum under the warrant of his majesty's secretary of state.*

William Ludlow, one of the attendants in the establishment, stated, that the deceased was

brought to the asylum on the 16th of November last, and received into the asylum under a warrant under the hand and seal of lord John Russell, his majesty's secretary of state for the home department, dated the 10th of November, 1835, to be confined as a lunatic during his majesty's pleasure; and he had been under witness's care from the time of his admission until his death, in a room called the coffee-room, the gentlemen's apartment. Witness had the charge of deceased with seven other patients, and always slept in the room with the deceased and other patients, the assistant sleeping in an adjoining room. Witness considered him not in a state at all times to be master of himself; he was treated as a lunatic and watched and attended to accordingly. On Tuesday night the patients went to bed as usual about half-past eight o'clock. Deceased remained very quiet during the night. Was called at half-past six o'clock, when the deceased and two others got up. Deceased dressed himself as usual about twenty minutes before seven. Deceased and the two other patients came down stairs with witness to the coffee-room, and remained there about ten minutes, and then witness saw him go to the water-closet in the garden by himself, not far from the coffee-room. After the deceased had been absent about five or seven minutes, finding him not return, and being dissatisfied with his absence, witness went to look for him, found the door shut, opened it, and found him suspended by a silk handkerchief, one end thereof fastened round his neck, and the other end to a holdfast supporting a case surrounding a water pipe. Witness was proceeding to take

* See page 133.

the deceased down, and upon touching the handkerchief the holdfast gave way, and the deceased fell to the floor, and he was then dead. Witness having found the handkerchief quite loose round the deceased's neck, he left him on the floor, and went in quest of the house surgeon, who promptly attended, and bled him in witness's

presence. From the time deceased was first admitted until his death, he was never left without some attendant belonging to the establishment being present.

After some other witnesses had been examined, the jury returned a verdict that the deceased destroyed himself, being, at the time, in an unsound state of mind.

APPENDIX TO CHRONICLE.

A LIST OF THE MINISTRY ON THE 1st OF JANUARY.

<i>First Lord of the Treasury</i>	Right hon. Sir Robert Peel.
<i>Chancellor of the Exchequer</i>	Lord Lyndhurst.
<i>Lord-Chancellor</i>	Earl of Rosslyn.
<i>President of the Council</i>	Lord Wharncliffe.
<i>Lord Privy-Seal</i>	Right hon. Henry Goulburn.
<i>Secretaries of State</i> { <i>Home Department</i>	Duke of Wellington.
{ <i>Foreign</i>	Earl of Aberdeen.
{ <i>Colonial</i>	Earl de Grey.
<i>First Lord of the Admiralty</i>	Right hon. Sir Henry Hardinge.
<i>Chief Secretary for Ireland</i>	Lord Ellenborough.
<i>President of the Board of Control</i>	Right hon. Alexander Baring.
<i>Master of the Mint, and President of the</i> { <i>Board of Trade</i>	Right hon. Sir Edward Knatchbull, bt.
<i>Paymaster of the Forces</i>	Right hon. John Charles Herries.
<i>Secretary at War</i>	Right hon. Sir George Murray.
<i>Master-General of the Ordnance</i>	

* * The above form the CABINET.

<i>Postmaster-General</i>	Lord Maryborough.
<i>Lord Chamberlain</i>	Earl of Jersey.
<i>Lord Steward</i>	Earl of Wilton.
<i>Master of the Horse</i>	Duke of Dorset.
<i>Groom of the Stole</i>	Marquess of Winchester.
<i>Vice-President of the Board of Trade, and</i> { <i>Treasurer of the Navy</i>	Viscount Lowther.
<i>First Commissioner of Land Revenue</i>	Lord Granville Somerset.
<i>Chancellor of the Duchy of Lancaster</i>	Right hon. Charles W. W. Wyn.
<i>Attorney-General</i>	Sir Frederick Pollock.
<i>Solicitor-General</i>	Sir William W. Follett.

IRELAND.

<i>Lord-Lieutenant of Ireland</i>	Earl of Haddington.
<i>Lord-Chancellor</i>	Sir Edward Sugden.
<i>Commander of the Forces</i>	Sir Richard Hussey Vivian.
<i>Attorney-General</i>	Edward Pennefather, esq.
<i>Solicitor-General</i>	Jos. D. Jackson, esq.

A LIST OF THE MINISTRY ON THE 12th OF MAY.

<i>First Lord of the Treasury</i>	Viscount Melbourne.
<i>Chancellor of the Exchequer</i>	Right hon. Thomas Spring Rice.
<i>Lord Chancellor</i>	In Commission.
<i>President of the Council</i>	Marquess of Lansdowne.
<i>Lord Privy-Seal, and First Commissioner</i> { <i>of Land Revenue</i>	Viscount Duncannon.
<i>Secretaries of State</i> { <i>Home Department</i>	Lord John Russell.
{ <i>Foreign</i>	Viscount Palmerston.
{ <i>Colonial</i>	Lord Glenelg.
<i>First Lord of the Admiralty</i>	Earl of Minto.
<i>President of the Board of Control</i>	Right hon. Sir John Cam Hobhouse.
<i>President of the Board of Trade</i>	Right hon. C. Poulett Thomson.
<i>Chancellor of the Duchy of Lancaster</i>	Lord Holland.
<i>Secretary at War</i>	Viscount Howick.


* * The above form the CABINET.

<i>Postmaster-General</i>	Earl of Litchfield.
<i>Lord Chamberlain</i>	Marquess of Conyngham.
<i>Lord Steward</i>	Duke of Argyll.
<i>Master of the Horse</i>	Earl of Albemarle.
<i>Groom of the Stole</i>	Marquess of Winchester.
<i>Paymaster-General and Treasurer of the</i> { <i>Navy</i>	Right hon. Sir Henry Parnell.
<i>Master of the Mint, and Vice-President of</i> { <i>the Board of Trade</i>	Right hon. Henry Labouchere.
<i>Master-General of the Ordnance</i>	Right hon. Sir Richard H. Vivian, bt.
<i>Chief Secretary for Ireland</i>	Lord Morpeth.
<i>Attorney-General</i>	Sir John Campbell.
<i>Solicitor-General</i>	Sir Robert M. Rolfe.

IRELAND.

<i>Lord-Lieutenant of Ireland</i>	Earl of Mulgrave.
<i>Lord-Chancellor</i>	Lord Plunkett.
<i>Commander of the Forces</i>	Right hon. Michael O'Loughlen, esq.
<i>Attorney-General</i>	John Richards, esq.
<i>Solicitor-General</i>	

ALPHABETICAL LIST OF THE MEMBERS OF THE HOUSE OF COMMONS.

 Those Members whose names are marked with a * have not sat in any former Parliament.

ENGLAND AND WALES.

- Abingdon*—T. Duffield.
Andover—R. Etwall, sir J. W. Pollen.
Anglesey—sir R. B. W. Bulkeley.
Arundel—Lord D. C. Stuart.
Ashburton—*C. Lushington.
Ashton-under-Lyne—*C. Hindley.
Aylesbury—W. Rickford, W. H. Hanmer.
Banbury—H. W. Tancred.
Barnstaple—J. P. B. Chichester, C. S. Fancourt.
Bassettlaw—G. H. Vernon, hon. A. Duncombe.
Bath—General C. Palmer, J. A. Roebuck.
Beaumaris—Captain F. Paget.
Bedfordshire—Lord C. J. F. Russell, *Lord Alford.
Bedford—Capt. F. Polhill, S. Crawley.
Berkshire—R. Palmer,* P. Pusey,* J. Walter.
Berwick—Sir R. S. Donkin, J. Bradshaw.
Beverley—H. Burton, *J. W. Hogg.
Bewdley—Sir T. E. Winnington.
Birmingham—T. Attwood, J. Scholefield.
Blackburn—W. Turner, W. Fielden.
Bodmin—*Major Vivian, sir S. T. Spry.
Bolton—W. Bolling, *C. Ainsworth.
Boston—*J. S. Brownrigg, J. Wilks.
Bradford—E. C. Lister, J. Hardy.
Brecknockshire—Col. T. Wood.
Brecon—C. M. R. Morgan.
Bridgenorth—T. C. Whitmore, R. Pigott.
Bridgewater—C. K. C. Tynte, *J. T. Leader.
Bridport—H. Warburton, H. Twiss.
Brighton—*Capt. Pechell, I. N. Wigney.
Bristol—Sir R. R. Vyvyan, P. J. Miles.
Buckinghamshire—Marquis of Chandos, *Sir W. Young, *J. B. Praed.
Buckingham—Sir T. Fremantle,* sir H. Verney.
Bury (Lancashire)—*R. Walker.
Bury St. Edmund's—Earl Jermyn, Ld. C. Fitzroy.
Calne—Earl of Kerry.
Cambridgeshire—*E. T. Yorke, *R. J. Eaton, R. G. Townley.
Cambridge—T. S. Rice, George Pryme.
Cambridge University—Sir Charles Manners Sutton, Rt. hon. H. Goul-
Canterbury—*Lord A. Conyngham, *F. Villiers.
Cardiff—John Nicholl.
Cardiganshire—Colonel W. E. Powell.
Cardigan—Pryse Pryse.
Carlisle—P. H. Howard, *W. Marshall.
Carmarthenshire—Hon. G. R. Trevor, Sir J. Williams.
Carmarthen—*David Lewis.
Carnarvonshire—T. A. Smith.
Carnarvon—*Colonel Parry.
Chatham—Sir J. P. Beresford.
Cheltenham—Hon. C. F. Berkeley.
Cheshire [N.]—E. J. Stanley, W. T. Egerton.
Cheshire [S.] G. Wilbraham, *Sir P. Egerton.
Chester—Lord R. Grosvenor, J. Jervis.
Chichester—Lord A. Lennox, J. A. Smith.
Chippenham—J. Neeld, H. G. Boldero.
Christchurch—G. W. Tapps.
Cirencester—J. Cripps, Ld. E. Somerset.
Clitheroe—John Fort.
Cockermouth—F. L. B. Dykes, H. Aglionby.
Colchester—R. Sanderson, *Sir G. H. Smyth.
Cornwall [E.]—Sir W. Molesworth, W. L. S. Trelawney.
Cornwall [W.] Sir C. Lemon, E. W. W. Pendarves.
Coventry—*W. Williams, E. Ellice.
Cricklade—R. Gordon, *J. Neeld.
Cumberland [E.]—Sir J. G. Graham, W. Blamire.
Cumberland [W.] E. Stanley, S. Irton.
Dartmouth—Colonel J. H. Seale.
Denbighshire—Sir W. W. Wynne, *Hon. W. Bagot.
Denbigh—*William Jones.
Derbyshire [N.]—Hon. G. Cavendish T. Gisborne.
Derbyshire [S.]—*Sir R. Griesley, *Sir G. Crewe.

- Derby*—Edward Strutt, Hon. J. G. B. Ponsonby.
Devizes—W. Locke, Sir P. Durham.
Devonport—Sir E. Codrington, Sir G. Grey.
Devonshire [N.] Hon. N. Fellowes, Ld. Ebrington.
Devonshire [S.] Lord J. Russell, *Sir J. B. Y. Buller.
Dorchester—Hon. A. A. Cooper, *R. Williams.
Dorsetshire—Lord Ashley, Hon. W. F. S. Ponsonby, *H. C. Sturt.
Dover—Sir J. R. Reid, *J. M. Fector.
Droitwich—*John Barneby.
Dudley—Thomas Hawkes.
Durham [N.]—Sir H. Williamson, H. Lambton.
Durham [S.]—J. Pease, J. Bowes.
Durham—W. C. Harland, *Hon. A. Trevor.
East Retford—*Hon. A. Duncombe.
Essex [N.]—Sir J. T. Tyrrell, A. Baring.
Essex [S.]—R. W. H. Dare, *T. W. Branston.
Evesham—Sir C. Cockerell, *P. Borthwick.
Exeter—*Sir W. W. Follett, E. Divett.
Eye—Sir E. Kerrison.
Finsbury—T. S. Duncombe, *T. Wakley.
Flintshire—Hon. E. W. L. Mostyn.
Flint—Sir S. Glynne.
Frome—T. Sheppard.
Gateshead—C. Rippen.
Glamorganshire—C. R. M. Talbot, L. W. Dillwynn.
Gloucestershire [E.]—Hon. A. H. Moreton, C. W. Codrington.
Gloucestershire [W.]—Hon. G. C. G. Berkeley, Marq. of Worcester.
Gloucester—H. T. Hope, *Hon. F. F. Berkeley.
Grantham—G. E. Welby, Hon. A. G. Talmash.
Greenwich—E. G. Barnard, *J. Angerstein.
Great Grimsby—*E. Heneage.
Guildford—J. Mangles, C. B. Wall.
Halifax—C. Wood, *Hon. J. S. Wortley.
Hampshire [N.]—C. S. Lefevre, J. W. Scott.
Hampshire [S.]—J. W. Fleming, *H. C. Compton.
Harwich—J. C. Herries, *F. R. Bonham.
Hastings—F. North, *H. Elphinstone.
Haverfordwest—*W. H. Scourfield.
Helstone—*Lord J. Townshend.
Herefordshire—K. Hoskins, E. T. Foley, Sir R. Price.
Hereford—E. B. Clive, R. Biddulph.
Hertfordshire—*Lord Grimston, *A. Smith, R. Alston.
Hertford—Lord Mahon, *Hon. W. F. Cooper.
Honiton—*A. Chichester, *H. D. Baillie.
Horsham—R. H. Hurst.
Huddersfield—J. Blackburne.
Huntingdonshire—Viscount Mandeville, J. P. Roper.
Huntingdon—Colonel Peel, *Sir F. Pollock.
Hythe—Stuart Marjoribanks.
Ipswich—*R. A. Dundas, *F. Kelly.
Kendal—J. Barham.
Kent [E.]—Sir E. Knatchbull, J. P. Plumptre.
Kent [W.]—*Sir W. Geary, T. L. Hodges.
Kidderminster—G. R. Philips.
Kingston-upon-Hull—*D. Carruthers, W. Hutt.
Knaresborough—*A. Lawson. *J. Richards.
Lambeth—C. Tennyson, B. Hawes, jun.
Lancashire [N.]—Lord Stanley, J. W. Patten.
Lancashire [S.]—Lord F. Egerton, *Hon. R. B. Wilbraham.
Lancaster—P. M. Stewart, T. G. Greene.
Launceston—Sir H. Hardinge.
Leeds—Sir J. Beckett, E. Baines.
Leicestersh. [N.]—Lord R. Manners, C. M. Phillipps.
Leicestershire [S.]—H. Halford, *T. F. Turner.
Leicester—*Mr. Sergeant Goulburn, T. Gladstone.
Leominster—Lord Hotham, T. Bish.
Lewes—Sir C. R. Blunt, T. R. Kemp.
Lichfield—Sir G. Anson, Sir E. D. Scott.
Lincolnshire, Lindsey—Hon. C. A. Pelham, *T. Corbett.
Lincolnshire, Kesteven—H. Handley, G. G. Heathcote.
Lincoln—Colonel Sibthorpe, E. L. Bulwer.
Liskeard—C. Buller.
Liverpool—Lord Sandon, W. Ewart.
London—M. Wood, *J. Pattison, *W. Crawford, G. Grote.
Ludlow—Lord Clive, *E. L. Charlton.
Lyme Regis—W. Pinney.
Lymington—J. Stewart, W. A. Mackinnon.
Lynn Regis—Lord G. Bentinck, *Sir S. Canning.
Macclesfield—J. Ryle, J. Brocklehurst.
Maidstone—*W. Lewis, A. W. Roberts.
Maldon—Quintin Dick, T. B. Lennard.

- Malmesbury*—Lord Andover.
Malton—Hon. W. Fitzwilliam, J. C. Ramsden.
Manchester—C. Poulett Thomson, *M. Phillips.
Marlborough—Lord A. E. Bruce, *H. B. Baring.
Marlow—Sir W. Clayton, T. P. Williams.
Marylebone—Sir S. Whalley, H. L. Bulwer.
Merionethshire—Sir R. W. Vaughan.
Merthyr Tydvil—J. J. Guest.
Middlesex—G. Byng, J. Hume.
Midhurst—W. S. Poyntz.
Monmouthshire—Lord G. Somerset, W. A. Williams.
Monmouth—B. Hall.
Montgomeryshire—C. W. W. Wynne.
Montgomery—J. Edwards.
Morpeth—Hon. E. G. Howard.
Newark—W. E. Gladstone, *Sergeant Wilde.
Newcastle-under-Lyne—W. H. Miller, *E. Peel.
Newcastle-upon-Tyne—*W. Ord, Sir M. Ridley.
Newport—J. H. Hawkins, W. H. Ord.
Norfolk [E.]—*Hon. E. Wodehouse, *Lord Walpole.
Norfolk [W.]—Sir W. Folkes, Sir J. Astley.
Northallerton—W. B. Wrightson.
Northamptonshire [N.]—Lord Milton, Lord Brudenell.
Northamptonshire [S.]—W. R. Cartwright, *Sir C. Knightley.
Northampton—R. V. Smith, C. Ross.
Northumberland [N.]—Lord Howick, Lord Ossulston.
Northumberland [S.]—M. Bell, T. W. Beaumont.
Norwich—Lord Stormont, *Hon. R. C. Scarlett.
Nottinghamshire [N.]—Lord Lumley, T. Holdsworth.
Nottinghamshire [S.]—Earl of Lincoln, J. E. Denison.
Nottingham—Sir R. C. Ferguson, Sir J. C. Hobhouse.
Oldham—J. Fielden, W. Cobbett.
Oxfordshire—Lord Norreys, G. G. Harcourt, Major Weyland.
Oxford—W. H. Hughes, *D. Maclean.
Oxford University—T. B. Estcourt, Sir R. H. Inglis.
Pembrokeshire—Sir J. Owen.
Pembroke—H. O. Owen.
Penryn—J. W. Freshfield, R. M. Rolfe.
Peterborough—Sir R. Heron, N. Fazakerley.
Petersfield—*C. Hector.
Plymouth—J. Collier, T. B. Bewes.
Pontefract—J. Gully, Lord Pollington.
Poole—Sir J. Byng, *C. A. Tulk.
Portsmouth—J. B. Carter, F. T. Baring.
Preston—H. T. Stanley, P. H. Fleetwood.
Radnorshire—*W. Wilkins.
Radnor—R. Price.
Reading—*Mr. Sergeant Talfourd, C. Russell.
Reigate—Lord Eastnor.
Richmond—Hon. J. C. Dundas, *A. Spiers.
Ripon—*Sir C. D'Albiac, T. Pemberton.
Rochdale—*J. Entwistle.
Rochester—R. Bernal, *T. Hodges.
Rutlandshire—Sir G. Noel, Sir G. Heathcote.
Rye—E. B. Curteis.
Salford—J. Brotherton.
Salisbury—W. B. Brodie, W. Wyndham.
Salop [N.]—Sir R. Hill, W. O. Gore.
Salop [S.]—Earl of Darlington, Hon. R. H. Clive.
Sandwich—*S. G. Price, Sir T. Trowbridge.
Scarborough—*Sir F. Trench, Sir J. Johnstone.
Shaftesbury—J. Poulter.
Sheffield—J. Parker, *J. S. Buckingham.
Shoreham—Sir C. Burrell, H. D. Goring.
Shrewsbury—Sir J. Hanmer, J. Cressett Pelham.
Somerset [E.]—Col. G. Langton, W. Miles.
Somerset [W.]—E. A. Sandford, C. J. K. Tynte.
Southampton—*J. B. Hoy, *A. R. Dottin.
South Shields—R. Ingham.
Southwark—J. Humphrey D. W. Harvey.
Staffordshire [N.]—Sir O. Mosley, E. Buller.
Staffordshire [S.]—Sir J. Wrottesley, E. J. Littleton.
Stafford—*F. L. H. Goodricke, W. F. Chetwynd.
St. Alban's—*Hon. E. H. Grimston, H. G. Ward.
Stamford—T. Chaplin, G. Finch.
St. Ives—J. Halse.
Stockport—T. Marsland, *H. Marsland.
Stoke-on-Trent—R. E. Heathcote, J. Davenport.
Stroud—G. P. Scrope, Colonel Fox.

Sudbury—*J. Bagshaw, *B. Smith.
Suffolk [E.]—Lord Henniker, *Sir C. B. Vere.
Suffolk [W.]—*Col. Rushbrooke, *H. Wilson.
Sunderland—Alderman Thompson, *D. Barclay.
Surrey [E.]—*Capt. Alsager, A. W. Beaucherk.
Surrey [W.]—W. J. Denison, *C. Barclay.
Sussex [E.]—Hon. C. C. Cavendish, H. B. Curteis.
Sussex [W.]—Lord G. Lennox, Earl of Surrey.
Swansea—J. H. Vivian.
Tamworth—Sir R. Peel, W. Y. Peel.
Tavistock—Lord William Russell, *J. Rundell.
Taunton—C. T. Bainbridge, H. Labouchere.
Tewkesbury—*W. Dowdeswell, C. H. Tracy.
Thetford—Earl of Euston, F. Baring.
Thirsk—S. Crompton.
Tiverton—J. Heathcoat, J. Kennedy.
Totness—Lord Seymour, J. Parrott.
Tower Hamlets—W. Clay, Dr. Lushington.
Truro—W. Tooke, *E. Vivian.
Tynemouth—G. F. Young.
Wakefield—D. Gaskell.
Wallingford—W. Blackstone.
Walsall—C. S. Forster.
Wareham—J. H. Calcraft.
Warrington—*J. I. Blackburne.
Warwickshire [N.]—Sir E. Wilmot, D. S. Dugdale.
*Warwickshire [S.]** Sir J. Mordaunt, E. Sheldon.
Warwick—Sir C. J. Greville, E. B. King.
Wells—J. L. Lee, *N. W. R. Colborn.
Wenlock—Hon. C. Forester, J. M. Gaskell.
Westbury—Sir R. T. Lopez.
Westminster—Sir F. Burdett, Colonel Evans.
Westmoreland—Lord Lowther, Hon. H. C. Lowther.
Weymouth—F. Buxton, *W. W. Burdon.
Whitby—A. Chapman.
Whitehaven—M. Attwood.
Wigan—J. H. Kearsley, R. Potter.
Wight, Isle of—Sir R. Simeon.
Wilton—J. H. Penruddock.
Wiltshire [N.]—P. Methuen, *W. Long.
Wiltshire [S.]—J. Benett, Hon. S. Herbert.
Winchester—W. B. Baring, J. B. East.

Windsor—J. Ramsbottom, *Sir J. E. D. Beauvoir.
Wolverhampton—*T. Thornley, *C. P. Villiers
Woodstock—*Lord C. S. Churchill.
Worcestershire [E.]—*E. Holland, *T. H. Cookes.
Worcestershire [W.]—Hon. Colonel Lygon, H. J. Winnington.
Worcester—G. R. Robinson, *J. Baily.
Wycomb—Hon. R. J. Smith, Hon. Col. Grey.
Yarmouth—W. M. Praed, *T. Baring.
Yorkshire [N.]—Hon. W. Duncombe, E. S. Caley.
Yorkshire [E.]—R. Bethell, P. B. Thompson.
Yorkshire [W.]—Lord Morpeth, Sir G. Strickland.
York—Hon. T. Dundas, J. H. Lowther.

SCOTLAND.

Aberdeen—A. Bannerman.
Aberdeenshire—Hon. W. Gordon.
Argyleshire—W. F. Campbell.
Ayrshire—R. A. Oswald.
Ayr Burghs—Lord P. J. Stuart.
Banffshire—Capt. G. Ferguson.
Berwickshire—Sir H. P. Campbell.
Buteshire—Sir W. Rae.
Caithness-shire—G. Sinclair.
Clackmannon and Kinross—Admiral Adam.
Dumbartonshire—*A. Denniston.
Dumfriesshire—J. H. Johnstone.
Dumfries Burghs—General Sharpe.
Dundee—Sir H. Parnell.
Edinburgh—Hon. J. Abercromby, Sir J. Campbell.
Edinburghshire—Sir G. Clerk.
Elginshire—Col. F. W. Grant.
Elgin Burghs—Col. Leith Hay.
Falkirk Burghs—W. D. Gillon.
Fifeshire—Capt. Wemyss.
Forfarshire—Hon. D. G. Hallyburton.
Glasgow—J. Oswald, *C. Dunlop.
Greenock—R. Wallace.
Haddingtonshire—R. Ferguson.
Haddington Burghs—R. Stewart.
Inverness-shire—C. Grant.
Inverness Burghs—C. Bruce.
Kilmarnock Burghs—*J. Bowring.
Kincardineshire—General Arbuthnot.
Kirkaldy Burghs—*J. Fergus.
Kircudbrightshire—R. C. Fergusson.
Lanarkshire—J. Maxwell.
Leith—J. A. Murray.
Linlithgowshire—*Sir A. Hope.
Montrose Burghs—*P. Chalmers.
Paisley—*A. G. Speirs.

Orkney and Shetland—T. Balfour, jun.
Peebleshire—Sir J. Hay.
Perthshire—*Hon. Fox Maule.
Perth—L. Oliphant.
Renfrewshire—Sir M. S. Stewart.
Ross and Cromartyshires—A. J. Mackenzie.
Roxburghshire—*Lord J. Scott.
St. Andrew's Burghs—A. Johnstone.
Selkirkshire—*A. Pringle.
Stirlingshire—*W. Forbes.
Sutherlandshire—R. Macleod.
Wick Burghs—J. Loch.
Wigtonshire—Sir A. Agnew.
Wigton Burghs—*J. M'Taggart.

IRELAND.

Antrim—General O'Neill, Earl of Belfast.
Armagh County—Col. Vernon, Lord Acheson.
Armagh Town—L. Dobbin.
Athlone—*Capt. Mathew.
Bandon Bridge—*J. D. Jackson.
Belfast—J. E. Tennent, J. M'Cance.
Carlow County—Col. Bruen, T. Cavanagh.
Carlow Borough—*F. Bruen.
Carrickfergus—P. Kirk.
Cashel—Sergeant Perrin.
Cavan County—J. Young, H. Maxwell.
Clare—W. N. Macnamara, C. O'Brien.
Clonmel—D. Ronayne.
Coleraine—Alderman Copeland.
Cork County—F. O'Connor, G. S. Barry.
Cork City—*Colonel Chatterton, *R. Leycester.
Donegal—Sir E. Hayes, Col. Conolly.
Downshire—Lord A. Hill, Lord Castle-reagh.
Downpatrick—*D. Kerr.
Drogheda—A. C. O'Dwyer.
Dublin County—C. Fitzsimon, G. Evans.
Dublin City—Daniel O'Connell, E. S. Ruthven.
Dublin University—T. Lefroy, F. Shaw.
Dundalk—*S. Crawford.
Dungannon—*Hon. C. Knox.
Dungarvon—*Sergeant O'Loghlin.
Ennis—*H. Bridgman.
Enniskillen—Hon. A. H. Cole.
Fermanagh—General Archdall, Lord Cole.
Galway—T. B. Martin, *J. J. Bodkin.
Galway Town—A. H. Lynch, M. J. Blake.
Kerry—*M. J. O'Connell, F. W. Mullins.

Kildare—E. Ruthven, jun., R. M. O'Ferrall.
Kilkenny County—Hon. C. Butler, W. F. Finn.
Kilkenny City—R. Sullivan.
King's County—N. Fitzsimon, *Hon. J. C. Westenra.
Kinsale—*Colonel Thomas.
Leitrim—Lord Clements, S. White.
Limerick County—Hon. R. Fitzgibbon, W. S. O'Brien.
Limerick City—W. Roche, D. Roche.
Lisburn—H. Meynell.
Londonderry County—Sir R. Bateson, Captain Jones.
Londonderry City—Sir R. A. Fergusson.
Longford—Lord Forbes, A. Lefroy.
Louth—*P. Bellew, M. Bellew.
Mallow—C. D. O. Jephson.
Mayo—*Sir W. J. Brabazon, Dominick Browne.
Meath—H. Grattan, M. O'Connell.
Monaghan—*E. Lucas, Hon. H. R. Westenra.
Newry—*D. C. Brady.
New Ross—J. H. Talbot.
Portarlington—*Colonel D. Damer.
Queen's County—Sir C. Coote, *Hon. T. Vesey.
Roscommon—F. French, O'Connor Don.
Sligo Co.—Col. Perceval, E. J. Cooper.
Sligo Town—J. Martin.
Tipperary—R. L. Sheil, R. Otway Cave.
Tralee—Maurice O'Connell.
Tyrone—*Lord C. Hamilton, H. Corry.
Waterford County—Sir R. Musgrave, *P. Power.
Waterford City—H. W. Barron, T. Wyse.
Westmeath—Sir R. Nagle, M. L. Chapman.
Wexford County—*J. Maher, *J. Power.
Wexford Town—C. A. Walker.
Wicklow—J. Grattan, R. Howard.
Youghal—John O'Connell.

The Sixteen Representative Peers for Scotland returned to serve in the New Parliament.

The Marquess of Tweeddale.—The Earls of Morton, Home, Elgin, Airlie, Leven, and Melville, Selkirk, and Orkney.—The Viscounts Arbuthnot, Strathallan.—The Lords Forbes, Saltoun, Gray, Sinclair, Colville, and Reay (*vice* Elphinstone.)

SHERIFFS FOR THE YEAR 1835-6.

<i>Bedfordshire</i>	Charles James Metcalfe, of Roxton, esq.
<i>Berkshire</i>	Bartholomew Wroughton, of Woolley Park, esq.
<i>Bucks</i>	Right hon. Sir Gore Ouseley, Bart. Hall Barn Park.
<i>Cambridge and Huntingdonshire</i>	John Fryer, of Charteris, esq.
<i>Cheshire</i>	James Heath Leigh, of Grappenhall Lodge.
<i>Cornwall</i>	John Buller, of Morval, esq.
<i>Cumberland</i>	Richard Ferguson, of Harker Lodge, esq.
<i>Derbyshire</i>	Ashton Nich. E. Mosley, of Burnaston House, esq.
<i>Devonshire</i>	Samuel Trehawke Kekewich, of Peamore, esq.
<i>Dorsetshire</i>	Sir Henry Digby, of Minterne Magna, Knt.
<i>Essex</i>	George William Gent, of Moyns Park, esq.
<i>Gloucestershire</i>	Henry Wenman Newman, of Thornbury Park, esq.
<i>Hampshire</i>	Henry Weyland Powell, of Foxlease, esq.
<i>Herefordshire</i>	Richard Webb, of Donnington Hall, esq.
<i>Hertfordshire</i>	William Robert Baker, of Bayfordbury, esq.
<i>Kent</i>	John Ward, of Holwood, esq.
<i>Leicestershire</i>	William Herrick, of Beaumanor, esq.
<i>Lincolnshire</i>	Thomas Earle Welby, of Allington Hall, esq.
<i>Monmouthshire</i>	Charles Marriott, of Dixton, esq.
<i>Norfolk</i>	Hudson Gurney, of Keswick, esq.
<i>Northamptonshire</i>	Lewis Loyd, of Overstone Park, esq.
<i>Northumberland</i>	Bertram Mitford, of Mitford Castle, esq.
<i>Nottinghamshire</i>	Christopher Nevile, of Thorney, esq.
<i>Oxfordshire</i>	John Fane, of Wormsley, esq.
<i>Rutlandshire</i>	Godfrey Kemp, of Belton, esq.
<i>Shropshire</i>	Sir Baldwin Leighton, of Loton, Bart.
<i>Somersetshire</i>	William Manning Dodington, of Horsington, esq.
<i>Staffordshire</i>	Edward Monckton, of Somerford, esq.
<i>Suffolk</i>	Robert Sayer, of Sibton Park, esq.
<i>Surrey</i>	James Shudi Broadwood, of Lyne House, esq.
<i>Sussex</i>	Charles Dixon, of Stanstead Park, esq.
<i>Warwickshire</i>	Hon. Charles Bertie Percy, of Guy's Cliff.
<i>Wiltshire</i>	Henry Seymour, of Knoyle, esq.
<i>Worcestershire</i>	Sir Edward Blount, of Mawley Hall, Bart.
<i>Yorkshire</i>	Richard Henry Roundell, of Gledstone, esq.

SOUTH-WALES.

<i>Breconshire</i>	Sir Edward Hamilton, of Trebinshun, Bart.
<i>Cardiganshire</i>	Thomas Davies, of Nantgwilan, esq.
<i>Carmarthenshire</i>	Edward Rose Tunno, of Llangenneck Park, esq.
<i>Glamorganshire</i>	John Dillwyn Llewelyn, of Penllergare, esq.
<i>Pembrokeshire</i>	Nicholas Roch, of Cocheston, esq.
<i>Radnorshire</i>	Thomas Williams, of Crossfoot, esq.

NORTH-WALES.

<i>Angleseyhire</i>	William Hughes, of Plas Llandyfrydog, esq.
<i>Carnarvonshire</i>	John Morgan, of Wegg, esq.
<i>Denbighshire</i>	Sir Robert Henry Cunliffe, of Acton Park, Bart.
<i>Flintshire</i>	Charles Blaney Trevor Roper, of Plasteg, esq.
<i>Merionethshire</i>	F. H. Lewis, of Dolgun, esq.
<i>Montgomeryshire</i>	Hugh Davies Griffiths, of Llechweddgarth, esq.

BIRTHS.

JANUARY:

1. At the lady Colchester's Montague-place, Russell-square, the lady of the hon. Philip Henry Abbot, a dau.

2. At Ramsgate, the countess of Kinnoull, a dau.

3. In Dorset-sq. the lady Helena Cooke, a son.

— At Wear Gifford, the lady Louisa Fortescue, a son.

5. In Portman-street, the wife of lieut.-col. Knollys, Scots Fusileer Guards, a daughter.

9. At Fleetlands, near Fareham, the wife of lieut.-col. Kyd, a dau.

10. In Upper Grosvenor-square, the countess de la Warr, a son.

11. At Leamington, the wife of the hon. capt. Somerville, R.N. a dau.

14. At Manby Brigg, the wife of the hon. Chas. Anderson Pelham, a son and heir.

— In South Audley-street, the lady of viscount Torrington, a daughter.

15. In Eaton-sq. the lady Agnes Byng, a son.

21. The wife of colonel sir A. Mac-laine, a son.

25. At North Cerney, Gloucestershire, the wife of capt. Milligan, a son.

26. At Ashford Grove, near Ludlow, La Comtesse de Croismare, a daughter.

27. In Berkeley-square, the lady Jane Walsh, a daughter.

30. At Merton College, lady Carmichael Anstruther, a son.

— The wife of the rev. W. Worsley, of Morton, near Gainsborough, a dau.

Lately. In Edinburgh, the lady of sir H. P. H. Campbell, baronet M.P. co. Berwick, a daughter.

— At Newbattle Abbey, Dalkeith, the marchioness of Lothian, a daughter.

— At the Oaks, Surrey, the lady of sir Charles Edward Grey, a son.

FEBRUARY.

1. In Upper Brook Street, the lady of sir John M. Burgoyne, bart. a dau.

— At Bonehill, Staffordshire, lady Jane Peel, a son.

3. At Skreens, the wife of J. W. Bramston, esq. M.P. a son.

— At the Moat House, Stockwell, the wife of Mr. Alderman Farebrother, a son.

— At Worthing, the wife of the hon. A. R. Turnour, capt. R.N. a daughter.

6. At Grosvenor-place, the wife of T. W. Beaumont, esq. M.P. a son.

— At Hinton House, near Crewkerne, the countess Poulett, a son.

7. In Guilford-street, lady Pollock, a son.

10. At Westbrook, Herts, lady Georgiana Ryder, a son.

11. In Belgrave-square, the wife of Richard Sanderson, esq. M.P. a son.

20. In Upper Brook Street, lady Louisa Finch, a son and heir.

21. At Branston-hall, Lincoln, the wife of the hon. A. L. Melville, a son.

23. At Wrattling-park, co. Camb. the seat of her father, sir Charles Watson, bart. the wife of Alexander Cotton, esq. a son.

MARCH.

1. In Brook-street, the hon. Mrs. Stanley, a daughter.

4. At Hampton Court, the wife of col. Cock, a son.

6. At Nea House, near Christchurch, the wife of lieut. col. Cameron, twin daughters.

7. At Weston-lodge, Derbyshire, the lady of the hon. and rev. A. Curzon, a daughter.

9. The wife of the rev. Dr. Longley, head master of Harrow-school, a son.

12. In Lower Grosvenor-street, lady Harriet Clive, a son.

— In London, the hon. lady Legard, wife of sir Thomas Legard, baronet, a daughter.

— At Gerrard's Cross, Bucks, the wife of lieut. col. T. Dundas, Bengal Army, a son.

14. At Calke Abbey, near Derby, the lady of sir George Crewe, baronet, M.P. a daughter.

16. In Belgrave-square, the countess of Burlington, a daughter.

17. In Charles-street, Berkeley-square, the hon. Mrs. Ferguson, of Pitfour, a son.

19. The wife of E. Buller, esq. M.P. a daughter.

20. In Duke-street Westminster, the lady of sir W. W. Follett, solicitor-general, a daughter.

— At Naples, the hon. Mrs. Henry Arundell, a son.

21. The wife of Alexander Adair, esq. of Heatherton-park, Somerset, a son.

BIRTHS.

23. In South Audley-street, the countess of Cawdor, a son.

28. At Stoke Poges, Bucks, the wife of the hon. and rev. Sidney Godolphin Osborne, a son.

31. In South Audley-street, the hon. Mrs. E. Jerningham, a son.

Lately. In Grosvenor-street, the lady of J. B. Hoy, esq: M.P., a son.

— In Dublin, the wife of captain Monck Mason, R.N. a son; and a few days after, in Eaton-square, London, the wife of her brother, sir George Grey, bart: M.P. a son and heir.

— In Berkeley-square, the wife of A: Smith, esq: M.P., a daughter:

APRIL.

1. In Bryanstone-square, lady Barrett Leonard, a son.

4. At East Horsley rectory, the hon. Mrs. A. Perceval, a daughter.

5. At the hon. lady Stuart's Richmond-park, lady Vere Cameron, a son and heir.

9. At Brussels, her majesty the queen of the Belgians, a son.

— In Bruton-street, viscountess Corry, a son and heir.

10. At Knill Court, county Hereford, lady Walsham, twin daughters.

12. In Chester-street, Grosvenor-place, the hon. Mrs. Adams, a son.

15. At Weymouth, the lady of sir Henry Blackwood, baronet, a daughter.

16. At Tulloch castle, N.B. the hon. Mrs. Davidson, a daughter.

22. At Norton Conyers, Yorkshire, lady Graham, a son.

25. In Sackville-street, the wife of H. Fox Talbot, esq. of Lacock Abbey, Wilts, a daughter.

— At Streatham, the wife of lieut.-col. Leslie, a son.

— In Harley-street Cavendish-square, the countess of Kerry, a son.

26. At Tabley-house, Cheshire, the right hon. lady de Tabley, a son and heir.

30. The marchioness of Hastings, a daughter.

Lately. At Ramsgate, the lady of sir James Lake, baronet, a son.

MAY.

2. In Portman-square, lady Bingham, a daughter.

3. At Barnes Common, Surrey, the lady of sir H. Willock, a daughter.

4. In Pall-mall, the hon. Mrs. Francis Baring, a son.

— At Montague-house, Portman-square, the hon. Mrs. H. Montague, a son.

6. At the Rectory, Weldon, the lady Louisa Finch Hatton, a daughter.

— The wife of the hon. Mr. Craven, a son and heir.

7. At Tunbridge Wells, the lady of major Burrowes, a dau.

8. In Harley-street, lady Lewin, a son.

— At Wardour Castle, Wilts, the right hon. lady Dormer, a son.

17. At Maidenhead, lady Phillimore, a daughter.

18. In Upper Grosvenor-street, the hon. Mrs. George Dawson Damer, a daughter.

22. At Bishopthorpe, the wife of the rev. Wm. Vernon Harcourt, a daughter.

— At the General Post Office, Mrs. Freeling, a daughter.

23. At her father's, T. F. Buxton, esq. M.P. the wife of Andrew Johnston, esq. jun, of Rennyhill, M.P. a son.

JUNE:

1. At Colomoo, Ceylon, the lady of Jackson Perring, esq. the deputy king's advocate, a son.

5. At Merton Cottage, Cambridge, the wife of the hon. Thomas Keppel, a son.

6. In Gloucester-place, lady Frances Calder, a daughter.

12. At Downes, the wife of J. Wentworth Buller, esq., a son and heir.

13. At Netherton Hall, the lady of sir Edmund S. Prideaux, bart. a son:

18. At Oxenheath, Kent, the hon. lady Dering, a son:

20. At Brighton, the lady of Charles Morgan, esq. M.P. a daughter.

JULY.

6. In Upper Seymour-street, Portman-square, the wife of lieut.-colonel Walton, a daughter.

11: At New-street, Spring-gardens, hon: lady Campbell, a daughter.

18. At Blairquhan, co. Ayr, the lady of sir D. H. Blair, bart, a daughter.

20. At Oxford, the wife of the rev. Dr. Faussett, Margaret professor of divinity, a son.

BIRTHS.

21. In Carleton-terrace, the marchioness of Abercorn, a daughter.

22. In Jermyn-street, viscountess Stormont, a son and heir.

25. The wife of the right hon. sir S. Canning, a daughter.

28. At Sledmere, the lady of sir Tatton Sykes, bart., a daughter.

— At Earl's Court, the lady of sir John Osborne, baronet, a daughter.

— At Brickworth, the right hon. countess Nelson, a son.

30. At Cheltenham, the wife of major North, a daughter.

— At Blyth Hall, Warwick, the wife of W. S. Dugdale, esq., M.P. a son.

AUGUST.

1. At Charleville, the seat of the earl of Rathdowne, Ireland, lady Frances Isabella Cole, a daughter.

4. The wife of sir C. C. Pepys master of the rolls, a son.

5. In Cumberland-terrace, Regent's-Park, the wife of lieutenant colonel Ashworth, a daughter.

7. At Denby Grange, the lady of sir John L. Kaye, baronet, a daughter.

12. At Hesse Homberg, the lady of lieutenant colonel sir Charles Dance, a son.

13. At Manheim, lady Sinclair, a son.

21. At Errol-park, Perthshire, the lady Henrietta Allen, a son.

22. At Milford, Hants, the wife of lieutenant colonel E. Byam, a son.

28. At Aldwick, near Bagnor, the hon. Mrs. Osborne, a son.

29. Lady Charlotte Guest, a son and heir.

31. At Singleton, near Swansea, the wife of J. H. Vivian, esq., M.P. a son.

SEPTEMBER.

3. At Thornham, Suffolk, the lady of sir Augustus B. Henniker, bart. a son.

4. At Glynllifon, the lady of the right hon. lord Newborough, a daughter and heiress.

16. At Bisham Cottage, Berks, lady Hinrich, a daughter.

— In Connaught-place, lady Boyle, a son.

— At Theydon Bower, Essex, visc. Frankfort de Montmorency, a son.

17. In Cumberland-terrace, Regent's-park, the wife of T. Hankey, esq., a son.

24. At Ashley-park, Surrey, lady Fletcher, a son and heir.

25. In Upper Brook-street, the lady of sir Alex. Malet, bart., a son and heir.

28. The lady Augusta Seymour, a daughter.

OCTOBER.

4. At Bifrons, the lady Albert Conyngham, a son.

14. At Croxteth, the viscountess Molyneux, a son and heir.

— At Wortley Hall, lady Georgiana Stuart Wortley, a daughter.

19. In Russell-square, the lady of Mr. Sergeant Talfourd, M.P. of a son.

21. In Grosvenor-square, the countess of Galloway, a son.

27. At Vienna, the Archduchess Sophia, consort of the Archduke Francis Charles, a daughter.

— At Spencer House, London, the wife of the hon. captain Spencer, R.N. a son.

NOVEMBER.

4. At Harewood House, lady Caroline Lascelles, a daughter.

— The countess of Winterton, a dau.

13. In Curzon-street, the lady Ernest Brudenell Bruce, a daughter.

— At Heanton Sackville, the right hon. lady Clinton, a son.

15. In Baker-street, the baroness Moncorvo, a son.

23. At Wellesbourne, the lady Chas. Paulet, a daughter.

25. At Mereworth Rectory, Kent, the hon. lady Stapleton, a son.

27. At sir J. Whitshed's, Holbrook Farm, the hon. Mrs. Whitshed, a dau.

— At Little Shardeloes, Amersham, the wife of col. W. J. Drake, a son.

28. The wife of the right hon. the lord mayor, (Copeland), a son.

DECEMBER.

10. The wife of sir Thomas Sabine Pasley, a son.

12. In Grosvenor-square, lady Emily Pusey, a son and heir.

— In Godmersham Park, lady Geo. Hill, a daughter.

16. The countess Clanwilliam, a son.

MARRIAGES.

JANUARY.

1. At Rome, col. Manley, adj.-gen. of the Pope's forces, to Harriet Maria, sec. dau. of the late Wm. Trenchard, esq. of Taunton.

6. At Leslie-house, co. Fife, H. Hugh Courtenay, esq. to Lady Anna Maria Leslie, sister to the earl of Rothes.

7. At Nuneham, lord Norreys, eldest son of the earl of Abingdon, to Miss Harcourt, only child of George Harcourt, esq. eldest son of the archbishop of York.

8. At Inverness, capt. H. Mackenzie, Bengal army, third son of the late sir H. Mackenzie, bart. to Mary Lydia, eldest dau. of major-gen. sir H. Fraser.

9. At Maple-durham, Oxford, Denis Le Marchant, esq. eldest son of the late major-gen. Le Marchant, to Sarah Eliza, fourth daughter of the late Chas. Smith, esq. of Suttons, Essex.

12. At Abergeley, North Wales, visc. Frankfort de Montmorency, to Georgiana Frederica, dau. of Peter Fitz Gibbon Heneky, esq. of Merrion-sq. Dublin.

13. At Talaton, G. Templer, esq. of Whitehill, Devon, to Charlotte, eldest daughter of sir John Kennaway, bart.

15. At Offchurch, co. Warwick, the rev. E. A. Waller, son of sir Wathen Waller, Twickenham, to Miss Louisa Wise, daughter of the rev. H. Wise.

— At Chester, Wilson D. Wilson, esq. of Glenarbach, Dumbartonshire, to Georgiana, fourth daughter of the bishop of Chester.

— At Wemyss Hall, co. Fife, W. H. Fielden, of the 17th Lancers, eldest son of W. Fielden, esq. M. P. to Mary Eliz. dau. of the late col. Wemyss.

22. At Balcaskie, Fifeshire, capt. Somerville, Scotch Greys, to Anna Maria, youngest daughter of late major-gen. sir H. Torrens.

FEBRUARY.

3. At All Souls, Langham-place, the baron Paul Louis Jules de Peyronnet, to Georgiana Frances, second dau. of the late G. Whitfield, esq.

— Pierce Somerset Butler, esq. eldest son of lieut.-col. the hon. Pierce Butler, M. P. of Ballycoura, Kilkenny, to Jessy Anne, relict of the late P. A. Warren, esq. of Lodge Park.

10. At Thornham Magna, Suffolk, Thomas Lovett, of Fernhill, co. Salop, esq. to the hon. Emily Henniker, sister to lord Henniker.

— At Colne, Edward Every, esq. second son of sir H. Every, of Egginton Hall, to Eliz. only child of Thos. Clayton, esq. of Carr Hall.

11. At Edmonsham, Dorset, W. R. Bailey, esq. of Lyncombe, near Bath, to Flora Bower, dau. of the late lieut.-gen. Monro.

24. At St. James's, Westminster, the hon. and rev. S. Best, to Emma, dau. of the late lieut.-col. Charles Duke.

25. At St. George's, Hanover square, W. Oakeley, Salop, to Alicia Mary, eldest daughter of lieut.-gen. sir Evan Lloyd and lady Trimlestown.

MARCH.

2. At Harewood, J. T. Hope, esq. eldest son of gen. the hon. sir A. Hope, to lady Frances Anne Lascelles, second dau. of the earl of Harewood.

12. At Brightwell, Oxfordshire, the rev. E. Trevenan, of Drewsteignton, Devon, to Emma, third dau. of the late sir William Strickland, bart. of Boynton, Yorkshire.

17. At Dowsby, major-gen. Johnson, of Wytham, near Bourn, to Lucy, eldest daughter of the rev. Kingsman Foster.

19. At Great Warley, the rev. Joseph Clay, of Stapenhill, Derbyshire, to Agnes, eldest dau. of lieut.-gen. Bonham, of Warley-place.

26. At St. George's, capt. Mathew, M.P. Coldstream Guards, to Anne, dau. of H. Hoare, esq. and sole grandchild of sir Richard Colt Hoare, bart. of Stourhead, Wilts.

— At St. Margaret's, Westminster, capt. Leblanc, of the French Royal Engineers, to Sarah Jane, dau. of the late gen. sir S. Bentham.

— At St. George's, Hanover-sq., the rev. J. Mirehouse, of St. George's-hill, Somersetshire, to Milly, second dau. of P. J. Miles, esq., of Leigh Court, Somersetshire, M.P. for Bristol.

31. At Datchet, the rev. J. F. Alleyne, to Helen Maria, only child of the late brig.-gen. Arthur Gore, and niece of vice-admiral sir J. Gore.

Lately. At Bath, the hon. F. A. Gordon, First Life Guards, to Miss Grant, dau. of lieut.-gen. sir Wm. Keir Grant, K.C.B., &c.

MARRIAGES.

APRIL.

3. At All Souls, Marylebone, major F. Hill, 53rd Reg., brother to sir Rowland Hill, bart., to Maria Jane, only dau. of the late major J. D. Bringham, Dragoon Guards, and niece to Wm. O. Gore, esq. M.P.

6. At St. James's, W. Wilberforce Pearson, esq., to lady Angela Alexander, dau. of the earl of Stirling.

7. R. Hinckley, esq., of Beacon-place, Lichfield, to Ellen Jane, widow of Hugh Dyke Acland, esq., and dau. of the late very rev. the dean of Lichfield.

9. At St. George's, Hanover-sq., capt. J. H. Plumridge, R.N., to Harriet Agnes, dau. of the late right hon. Hugh Elliot.

11. At St. George's, Hanover-sq., Lord John Russell, to lady Ribblesdale, dau. of the late T. Lister, esq., of Armitage-park, Yorkshire, and relict of Thomas, second baron Ribblesdale.

16. At Sopley, Hants, Edw. Lionel Wolley, esq., 11th Foot, to Susanna Sophia, third dau. of lieut.-col. Raitt.

22. At Wandsworth, the rev. H. Moseley, professor of natural philosophy in King's College, to Harriett, dau. of W. Nottage, esq.

25. At St. Mary's, Bryanstone-sq., Chas. Fenton Whiting, esq., to Isabella Charlotte lady Congreve, widow of the late major-gen. sir W. Congreve, bart.

28. At Christ Church, Marylebone, the rev. S. Robins, to Caroline Gertrude, dau. of the late Mr. and lady Caroline Barham.

— At St. Mary-le-Strand, count Ottavio degli Albizzi, to Mary Sophia dau. of M. Haywood, esq., London.

— At Cheltenham, the rev. E. Wakeman, brother to Sir Offley Wakeman, bart., to Miss Louisa Thompson, second dau. of Allan Thompson, esq.

— At St. George's, Hanover-sq., sir Robert A. Douglas, bart., to Martha-Eliz., eldest dau. of Joshua Rouse, esq., of Southampton.

29. Samuel Briggs, esq., formerly consul at Alexandria, and now of London, to Camilla, third dau. of John Larking, esq., of Clare-house, Kent.

MAY.

2. At St. Margaret's, Westminster, C. A. Monck, esq., eldest son of sir C. Monck, Bart., of Belsay, Northumber-

land, to Laura, second dau. of sir M. W. Ridley, bart., M.P.

5. The hon. and rev. T. Cavendish, brother to lord Waterpark, to Sophia Robinson, dau. of the late sir John Robinson.

— At St. James's, Geo. Clive, esq., son of E. B. Clive, esq., M.P., of Whitfield, Herefordshire, to Anne Sybella, second dau. of sir T. Farquhar, bart.

11. At Rome, in the apartments of Cardinal Weld, Don Marc Antonio Borghese, Prince of Sulmona, eldest son and heir to the Prince and Princess Borghese, to lady Gwendaline Talbot, second dau. of the earl and countess of Shrewsbury.

12. At Spilsby, Lincolnshire, the Rev. John Alington, rector of Candlesby, to Charlotte Sophia, youngest dau. of the late Sir Allen Bellingham, bart.

— At Mortlake, Charles Eyre, esq., of Hallingbury-place, Essex, to Mary Ann, dau. of lieut.-gen. L. Popham, of Littlecott, Wilts.

— At St. George's, Hanover-sq., the rev. H. B. W. Hillcoat, D.D., to Catherine, dau. of the late F. Pym, esq., of the Hassells, Bedfordshire.

13. At Wotton-under-Edge, the rev. Kenelm Henry Digby, second son of vice-adm. sir H. Digby, to Caroline, fifth daughter of Edward Sheppard, esq., of the Ridge, county Gloucester.

14. The rev. E. H. Dawkins, vicar of Markham Clinton, Nottinghamshire, to Eliz. dau. of the late sir W. H. Cooper, bart., and widow of G. A. Dawkins, esq.

— At Clifton, the rev. H. Gray, of Almondsbury, fourth son of the late bishop of Bristol, to the hon. Emilie Caroline Pery, third dau. of the late viscount Glentworth.

— At Bampton, Oxfordshire, the rev. C. Rose, B.D., rector of Cublington, Bucks, to Eliz. Frances, third dau. of the late Eliz. Powell, of Brecon.

16. At Cheltenham, C. Saunders, esq., third son of the late colonel A. Saunders, to Eliza, second dau. of the late J. Wilson, esq., of Smeaton Castle, county York.

— Joseph M. Gerothwohl, esq., to Charlotte Claudine Clementine, dau. of the marq. de Croy Channel de Hongrie.

18. At Leamington, the rev. W. Warburton, to Emma-Margaret, dau. of the late lieut.-gen. Stovin.

19. At Hovingham, Yorkshire, the rev. G. H. Webber, fourth son of the

Archd. of Chichester, to Frances, dau. of the late rev. Geo. Worsley, rector of Stonegrave.

20. At the Earl of Listowell's, Kingston House, Hedworth Lambton, esq. M.P., youngest brother of the earl of Durham, to Anna, eldest dau. of the late Gervase Parker Bushe, esq., of Kilkenny, and niece to the countess of Listowell.

— At Edinburgh, G. W. Denys, esq., 68th Light Infantry, eldest son of sir Geo. Denys, bart., to Catherine-Eliza, eldest dau. of the late M. H. Perceval, esq.

21. At Highgate, the rev. R. J. B. Henshaw, vicar of Hungarton, Leicestershire, to Harriet, third dau. of the late Wm. Findley, esq., of Montrose, N.B.

— At Swaffham Prior, W. Trevelyan, esq., eldest son of sir J. Trevelyan, bart., to Paulina, eldest dau. of the rev. Dr. Jermyn.

— At Bromham, capt. Agar, late 16th Lancers, to Mary Hoad, third dau. of the late adm. P. Puget, C.B.

— At St. Mary's, Marylebone, the rev. H. Reade Quartley, of Wolverton, Bucks, to Isabella Turnor, dau. of the late major Forbes.

22. At Camberwell, George Jones, esq., surgeon, late of Alcester, in this county to Anne, relict of Thos. Snapp, esq., and dau. of the late sir Henry Wakeman, bart., of Perdiswell, Worcestershire.

23. At St. George's, Hanover-sq., the rev. T. Garnier, vicar of Lewknor, to lady C. Keppel, dau. of the earl of Albemarle.

26. At Chelsworth, capt. Job Hammer, R.N., of Holbrook-hall, Suffolk, to Charlotte-Sophia Blaggrave, dau. of the late J. Blaggrave, esq., of Calcot-park, Berks.

27. At Trinity Church, Marylebone, Henry Coe Coape, esq., to Sidney-Jane, third dau. of major-gen. the hon. sir H. King, K.C.B.

28. At Chester-le-street, R. Pierce Butler, esq., eldest son of sir T. Butler, bart., of Bullin Temple, Carlow, to Matilda, dau. of T. Cookson, esq., of Hermitage, Durham.

JUNE.

1. At Edinburgh, sir James Stuart, bart., of Allanbank, to Katherine, second dau. of Alex. Monro, esq., M.D.,

VOL. LXXVII.

professor of anatomy in the University of Edinburgh.

2. The rev. J. Daubeney, rector of Publow, Somersetshire, to Eleanor, only dau. of lieut.-gen. Browne Clayton, of Adlington-hall, Lancashire.

3. At Frome, lieut.-col. J. W. Aitchison, E.I.C., to Eliza Vincent, eldest dau. of the late capt. R. J. L. O'Connor, R.N.

4. At St. George's, Hanover-sq., J. David Watts Russell, esq., eldest son of Jesse Watts Russell, esq., to Mary Neville, dau. of J. Smith Wright, esq., of Rempstone-hall, Nottinghamshire.

8. At Arthuret, Cumberland, Richard Brinsley Sheridan, esq. to Marcia Maria Grant, dau. of lieut.-gen. sir C. Grant, having been previously married, at Gretna Green.

11. The rev. F. G. Hopwood, grandson of John fifth visc. Torrington, to the lady Eleanor Mary Stanley, youngest daughter of the earl of Derby.

— At Lullingstone, the rev. N. Fiott, vicar of Edgeware, Middlesex, to Harriet Jenner, dau. of sir Percival Hart Dyke, bart.

16. At Richmond, Surrey, Henry Brown, esq. Bombay Civil Service, to Eliza Ann, dau. of the late sir Harry Verelst Darell, bart.

— At Drosford, Hants, capt. C. Parker, R. N. son of the late adm. sir Hyde Parker, to Kate, widow of the rev. H. H. Smith, and third dau. of the late J. Williams, esq. of Elm Grove,

18. At Burghclere, Hants, the rev. W. Annesley, Rector of Clifford Chambers, Gloucestershire, to Laura Anne, dau. of the late major-gen. Jones, of Fonmon Castle, Glamorganshire.

20. At the countess of Llandaff's, Dublin, Edw. Symes Bailey, esq. of Ballyarthur, co. Wicklow, to Catherine, youngest dau. of the right hon. M. Fitzgerald.

23. At St. Andrew's, London, sir Geo. Young, bart. R. N. of Formosa Place, Berks, to Susan, dau. of the late Mr. Sergeant Praed.

24. At the Hague, baron A. Collot d'Escury, to Sophia, dau. of the late adm. May, of the Dutch Navy.

— At St. George's Hanover-sq. Cecil Fane, esq. youngest son of the hon. Henry Fane, of Falbeck, Lincoln, to Isabella Mary, youngest dau. of the late adm. sir Eliab Harvey, of Rolls Park, Essex.

25. At Bromley, Kent, Percival Hart Dyke, esq. eldest son of sir P. Hart O

MARRIAGES.

Dyke, bart., of Lullingstone Castle, Kent, to Eliza, daughter of John Wells, esq., Bickley House.

— Capt. the hon. C. B. Phipps, to Anna Bathurst, grand-dau. of the bishop of Norwich.

39. At All Souls, Langham-place, the rev. J. D'Arcy Preston, eldest son of rear-adm. Preston, to Hannah Elizabeth eldest dau. of the late sir John St. Leger Gillman, bart. of Curraheen, co. Cork.

— At Rochdale, the rev. W. Topham Hobson, to Frances Maria, daughter of Walter Vavasour, esq. of Crossfield.

Lately. Frances Isabella, baroness Clinton, relict of lord Clinton, and eldest dau. of W. S. Poyntz, esq., and sister of the marchioness of Exeter, to colonel Horace Seymour, third son of the late lord H. Seymour.

JULY.

1. At Eindon, Northamptonshire, W. H. Isham Mackworth, esq. son of sir Digby Mackworth, bart. to Frances grand-daughter of sir English Dolben, bart.

2. At Ansty, co. Warwick, Fulwar Skipwith, esq. third son of sir Gray Skipwith, bart. of Newbold Hall, to Mary Philadelphia, eldest daughter of the rev. T. Coker Adams, of Coventry.

4. At St. George's the hon. G. H. Cavendish, brother of the earl of Burlington, to lady Louisa Lascelles, youngest daughter of the earl and countess of Harewood.

7. At St. Marylebone, W. Praed, esq. M.P., to Helen, daughter of the late G. Bogle, esq.

8. At Fordhook, the residence of lady Noel Byron, the right hon. lord King to the hon. Augusta Ada, only daughter of the late lord Byron.

— At St. James's, Piccadilly, lord Arthur Lennox, M.P., fourth brother of the duke of Richmond, to Adelaide, fourth daughter of the late col. John and lady Charlotte Campbell.

9. The hon. James Hewett, eldest son of visc. Lifford, to lady Mary Acheson, eldest dau. of the earl of Gosford.

11. At All Souls, Marylebone, the right hon. lord George Paulet, capt. R.N., third son of the marquis of Winchester, to Georgina, dau. of the late Gen. sir Geo. Wood, of Ottershaw Park, Surrey.

14. At St. James's, sir W. R. P. Geary, bart. M.P. of Oxtonheath, Kent,

to Louisa, daughter of the late hon. Chas. A. Bruce.

22. At Bramley, the hon. Francis Scott, to Miss Boulton.

24. At Saint Bride's co. Pemb., sir A. G. Hesilrigge, bart. of Nosely Hall, co. Leic. to Henrietta, fifth dau. of the late C. Allen Philips, esq. of St. Bride's-hill.

25. At St. Marylebone, the rev. E. Fanshawe Glanville, to Mary Ann, widow of the rev. F. Charles Spencer, and dau. of the late sir Scrope Bernard Morland, bart.

28. At Chipstead, Surrey, sir Thos. Buchan Hepburn, bart. of Smeaton, Haddingtonshire, to Helen, youngest dau. of Arch. Little, esq., of Shobden Park.

— At St. George's, Hanover-sq. J. Gurdon, esq. to lady Ormsby Rebow, dow of the late sir T. Ormsby, bart. and only child of lieut.-gen. S. Rebow, of Wivenhoe-park.

— At Berne, the rev. Chas. Lushington, son of sir H. Lushington, bart., to Susan Rose, dau. of Capt. J. Tweedale, late of the hon. E. I. C.

29. At St. George's, Hanover-sq. J. F. Baillie, esq. to Anne, dau. and heiress of the late col. J. Baillie, of Leys, M.P.

30. At Trinity Church, Marylebone, H. Newcombe, esq. of Upper Wimpole-street, to Cecilia, third dau. of sir W. Wake, bart., of Courteen-hall, Northamptonshire.

— At St. George's, Hanover-sq., Edw. St. John Mildmay, esq., son of the late Sir H. Mildmay, bart., to Frances, dau. of the late Edw. Lockwood Percival, esq.

— Capt. M. Davies, Madras army, to Louisa Theodosia Davies, only daughter of capt. Davies, R. N. Ridinnick House, Penzance.

AUGUST.

1. At St. George's, Hanover-sq. Fred. baron de Parbuk, to Miss H. Colman, dau. of the late col. E. Colman.

— At Shinfield, near Reading, the rev. H. G. Talbot, to Mary Eliz. third dau. of the late hon. sir Wm. Ponsonby, K.C.B.

— At Fulham, Edw. Villiers, esq. to the hon. Eliz. Charlotte Liddell, youngest daughter of Lord Ravensworth.

5. At Bayfield, Ross-shire, the rev. J. H. Hughes, to Margaret Sutherland, second dau. of the late col. Mackenzie,

MARRIAGES.

of Royslon, and sister of sir Alexander Mackenzie, bart.

11. At Marylebone, Oswald Mosley, esq., eldest son of sir Oswald Mosley, bart. M.P. to Maria, eldest dau. of gen. Bradshaw.

— At St. George's, Bloomsbury, the rev. W. Holmes, rector of West Newton, Norfolk, to Jemima, youngest dau. of the late sir Chas. Flower, bart.

— At Leslie House, Martin E. Haworth, esq., 60th Rifles, to the lady Mary E. Leslie, sister of the earl of Rothes.

13. At All Souls, St. Marylebone, Charles Broughton Bowman, esq., to Augusta Josepha, dau. of the late lieut.-col. Kirkman.

— At Berne, the rev. Chas. Lushington, son of sir H. Lushington, bart., to Susan Rose, dau. of capt. J. Tweedale, late of the hon. E. J. C.

15. In London, G. Hougham Skelton, esq., eldest son of major-gen. Skelton, Eleanor Sarah, second dau. of T. Gresham, esq., of Barnby-Don, Yorkshire.

17. At St. Mary's, Paddington, H. Bickersteth, esq., to the lady Jane Eliz. Harley, eldest dau. of the earl of Oxford and Mortimer.

18. At Marylebone Church, sir Walter G. Stirling, bart., of Faskine, to the hon. Caroline Frances Byng, youngest dau. of lieut.-gen. lord Strafford.

20. At Droxford, Alex. Beattie, esq., of Calcutta, to Mary Ann Eliz. Theresa, youngest dau. of the late vice-adm. sir E. Griffith Colpoys, K.C.B.

25. At St. Mary's Church, Marylebone, the hon. capt. Best, R.N., son of lord Wyndford, to the hon. Marianne, only dau. of lord Kenyon.

— At St. James's, sir Minto Townshend Farquhar, bart. to Erica Cath. Mackay, dau. of the right hon. lord Reay.

27. At Oxford, T. E. Bridges, D.D., president of Corpus Christi College, to Henrietta, sole surviving dau. of the late R. Bourne, M.D.

— At St. James's, Ernest Augustus earl of Lisburne, to Mary, youngest dau. of the late sir Lawrence Palk, bart.

— At Bromley-palace, the earl of Brecknock, to Harriet, eldest dau. of bishop of Rochester.

— At Shottesham, Norfolk, T. Gladstone, esq. M.P. to Louisa, second dau. of R. Fellowes, esq., of Shottesham-park.

Lately. At St. George's, Hanover-square, S. Arbouin, esq. to Margaret, dau. of the late John Abernethy, esq.

— At Colnwick, near Shugborough, the hon. C. Murray, second son of the earl of Mansfield, to the hon. F. Eliz. Anson, dau. of the late visc. Anson.

— J. S. Mills, esq., of Elmnden-hall, Norfolk, to Sarah, eldest dau.; and Mr. Astley, of Hill Morton, Warwickshire, and brother to sir Jacob Astley, bart., to Charlotte, second dau. of the late lady Charlotte Micklethwait, and nieces to the earl of Stradbroke.

— The hon. C. J. Canning, son of the late right hon. G. Canning, to the hon. Charlotte Stuart, dau. of lord Stuart de Rothesay.

— At Stoke Climsland, Cornwall, the rev. G. Somerset, eldest son of the late lord Arthur Somerset, to Phillida Eliz., eldest dau. of sir Wm. Pratt Call, bart., of Whiteford House.

SEPTEMBER.

1. D. Wakefield, jun., esq., to Angela, eldest dau. of T. Attwood, Esq. M.P., of Harborne, Birmingham.

— At Chevening, the right hon. lord Suffield, to the hon. C. S. Gardner, sister to lord Gardner.

— At Oddington, the rev. Alex. Cameron, to Charlotte, eldest dau. of the hon. and very rev. the dean of Gloucester.

5. At Gorhambury, the seat of the earl of Verulam, the earl of Craven, to the lady Emily Mary Grimston, second dau. of the earl of Verulam.

8. At the residence of the earl of Durham, in Cleveland-row, the hon. J. B. Ponsonby, the eldest son of lord Duncannon, to lady Fanny Lambton, eldest dau. of the earl of Durham.

14. At Greenwich, Rich. Maxwell Fox, esq., of Fox-hall, county of Longford, to Susan Amelia, second dau. of adm. sir Lawrence Wm. Halstead, K.C.B.

15. At St. Marylebone Church, sir John Rennie, of Whitehall-place, to Selina Garth, youngest dau. of the late C. Garth Colleton, esq., of Haines-hill, Berks.

— At Littlebredy, Dorset, A. H. Dyke, esq., second son of sir Thomas Dyke Ackland, bart., to Fanny, only dau. of R. Williams, esq., of Bridehead.

— At East Stoke, Dorset, the rev. W. Buller, second son of lieut.-gen. Buller, to Leonora Sophia Bond, dau. of the late John Bond, esq. of Grange.

19. At Lynn, the rev. H. E. Knatch-

MARRIAGES.

bull, son of the late sir E. Knatchbull, of Mersham-hatch, Kent, to Pleasance, dau. of the late T. Bagge, esq., of Stradseth-hall, Norfolk.

26. At Chalfont St. Peter's, Bucks, W. Shutt, esq., barrister-at-law, and police-magistrate, to Eleanor, eldest dau. of Mr. Serg. Peake.

28. At Pennard, sir John Dean Paul, bart., to Mary, widow of Berkeley Napier, esq., of Pennard-house, Somerset.

of lord Dunboyne, to Eliza, only child and sole heiress of Thos. Lindsey Holland, esq., of Cornwall-terrace, Regent's-park.

29. The rev. sir H. Thompson, bart., to Emily Frances Anne, dau. of the late R. Leeke, esq., of Langford-hall, Salop.

— At Patshall, co. Staff. George, third son of the late F. Holyoak, esq. of Tettenhall, to Laura Millicent, fourth dau. of sir Geo. Pigott, bart.

OCTOBER.

1. R. C. Price, esq. of Sydenham Kent, to Albinia Eliza, third daughter of sir Charles Price, bart.

2. The hon. A. H. Astley Cooper, third son of the earl of Shaftesbury, and M.P. for Dorchester, to Miss Jane Frances Pattison, only dau. of R. Pattison, esq. of Wrackelford, Dorset.

3. At Mertoun-house, lieut.-col. Chas. Wyndham, to the hon. Eliz. Anne Scott, second dau. of lord Polworth.

6. Spencer-Horatio, second son of T. Walpole, esq., to Isabella, fourth dau. of the late right hon. Spencer Perceval.

14. At Oakley, John Booth, esq., of Glendon-hall, Northamptonshire, to Augusta de Capell, fourth dau. of the late sir R. Brooke de Capell Brooke, bart. of Oakley-house.

19. At Hampstead, Thomas Andrews, esq., sergeant-at-law, to Amelia, dau. of T. Maynard, esq.

20. At Felbrigg, Norfolk, the hon. capt. Rich. Hare, grandson of the earl of Listowel, to Mary-Christina, fourth dau. of the late vice-adm. Windham.

— At Alderley, Chester, lieut.-col. W. H. Scott, only son of gen. Scott, to Harriet Alethea, fifth dau. of sir J. T. Stanley, bart.

— At Bromley, Kent, Herbert Jenner, esq., eldest son of the right hon. sir Herbert Jenner, to Maria Eleonora, third dau. of the late G. Norman, esq., of Bromley-common.

21. At Manchester, Edw. Bellasis, esq. barrister-at-law, to Eliza Jane, only dau. of W. Garnett, esq., of Lark-hill, Salford.

22. At Chelmsford, H. Methold, esq. to Sophia Jane, only daughter of the late Geo. Porter, esq., of Weald Side Lodge, Essex, and niece to the lord chief justice of the Common Pleas.

24. At St. Marylebone Church, the hon. Chas. Lennox Butler, youngest son

NOVEMBER.

4. At Claydon, Bucks, the rev. W. R. Fremantle, rector of Pilchcot, third son of the late vice-adm. sir Thos. Fremantle, to Emily Caroline, second dau. of the late gen. sir H. Calvert, bart., G.C.B.

5. At Preston, J. Smith, Schonswar, esq. of the King's Dragoon Guards, to Sophia Jane, only dau. of G. Garrow, esq. senior judge at Trichinopoly, East Indies.

— At Tickhill, Edm. L'Estrange, esq., son of the late col. L'Estrange, of Moystown, King's County, to Miss Henrietta S. B. Lumley, dau. of T. Lumley Savile, esq.

— At Halberton, Devon, the rev. Edw. Hawkins, of Churcham, Gloucester, to Frances, dau. of capt. Twisden, R.N., of the Rock, Halberton.

7. At Brussels, col. William Lyster, to Sophia Jane Lateward Croft, widow of the late sir T. E. Croft, bart.

9. At Boyton, Wilts, major-gen. sir R. Chapman, governor of the Bermudas, to Caroline, dau. of the late rev. G. Pyke, of Baythorne-park, Essex.

10. At Ham, Surrey, R. Moorson, esq. of the Scots Fusilier Guards, to Henrietta Frances, dau. of lieut.-gen. sir H. Campbell.

— At Dungarvon, co. Waterford, Thos. Carew Hunt, esq. H.M. consul at Archangel, to Dorothea, third dau. of the late sir Nugent Humble, bart. of Gloucoskorand Castle.

11. At Christ-church, H. Dease, esq. nephew of the earl of Fingall, to Frances Maria, only child of the late T. Defries, esq. of Madras.

17. At St. George's Bloomsbury, J. Scholefield, esq. M.P. of Edgbaston-grove, near Birmingham, to Mary Ann, dau. of the late T. Rose Swaine, esq.

— At Acklam, the rev. T. Watkin Richards, fourth son of the late right

PROMOTIONS.

PROMOTIONS.

JANUARY.

GAZETTE PROMOTIONS.

5. The earl of Courtown, captain of the yeomen of the guard.

7. Duncan M'Neill, esq. to be solicitor-general for Scotland.

— Adam Anderson, esq. to be sheriff depute of the shire of Perth.

8. To be barons of the United Kingdom: right hon. W. Baron FitzGerald and Vesey, by the title of baron FitzGerald, of Desmond, and of Clan-Gibbon, co. Cork; right hon. sir James Scarlett, knt. by the title of baron Abinger, of Abinger, co. Surrey, and of the city of Norwich; sir Philip Charles Sidney, G.C.H. (only son of sir J. S. Sidney, bart. of Penshurst castle, by Henrietta, daughter of the late sir H. Hunloke, bart.) by the title of baron de L'Isle and Dudley, of Penshurst, co. Kent; George Chas. Pratt, esq. (commonly called earl of Brecknock, by the title of baron Cambden, of Cambden-place, co. Kent.

10. Earl of Verulam, earl of Sheffield, lord de Lisle, viscount Sydney, and earl of Morton, to be lords of his majesty's bedchamber.

16. 54th Foot, major R. Macdonald to be major; 60th foot, major-gen. sir J. C. Maclean to be colonel commandant of a battalion.

21. Edward Duke Moore, esq. to be apothecary to her majesty's household.

23. Unattached: brevet lieut.-colonel G. Couper, secretary to the late master-general of the ordnance, to be lieutenant-colonel.

— Knighted, Edmund Lyons, esq. capt. R.N.

26. Major-general R. Bourke to be K.C.B.

30. Brevet, lieut.-gen. sir H. Fane, G.C.B., to have the local rank of general in the East Indies only.

The earls of Leitrim and Donoughmore to be knights of St. Patrick.

Frederick Pollock, esq. elected recorder of Huntingdon.

To be king's counsel: Messrs. Shepherd, Platt, and Kelly, of the common-law bar; and Messrs. Wakefield, Burge, Skirrow, Temple, Barber, Kindersley, Jacob, Wigram, Miller, and Spence, of the equity bar.

hon. sir R. Richards, lord chief baron, to Evereld Catherine, only dau. of the late Wm. Hustler, esq.

18. At St. George's Hanover-sq. capt. J. Sydney Doyle, second son of major-gen. sir C. Doyle, to the lady Susan North, dau. of the late earl of Guildford.

18. At Doncaster, B. H. Wiggin, esq. to Miss Caroline Cochrane, dau. of the hon. Mrs. Cochrane, of Nether-hall, Yorkshire.

19. At Weston-house, Wilts, Thos. Drummond, esq., under secretary for Ireland, to Miss Kinnaird, of Fredley, Surrey.

20. At Dumnkill-house, co. Fife, John Murray Drummond, esq., late Gren. Guards, eldest son of rear-adm. Drummond, of Megginch Castle, co. Perth, to Frances Jemima Oswald, fourth dau. of lieut.-gen. sir John Oswald.

— At Tunbridge-wells, capt. H. D. Trotter, R.N. to Charlotte, second dau. of the late major-gen. J. Pringle.

DECEMBER.

1. At Bradford, F. A. S. Locke, esq. second son of the late Wadham Locke, esq. M.P., of Rowdeford-house, to Katherine Harriet, eldest dau. of capt. sir Thos. Fellowes, R.N.

— At St. George's Hanover-sq. Francis Hart, fourth son of sir Percival Hart Dyke, bart., of Lullingstone Castle, Kent, to Charlotte Lascelles, youngest dau. of the right hon. sir Herbert Jenner, of Chesterfield-street.

3. At Merton, Norfolk, B. N. Garnier, esq., son of lady Harriet, to Henrietta Maria de Grey, dau. of lord Walsingham.

— At the British Embassy, Paris, sir Chas. Payne, bart. late of Tempsford-hall, to Maria Creighton, dau. of the late major R. M'Crea.

5. At North Grimston, Yorkshire, the rev. Chas. Turner, second son of Chas. Turner, esq. of Hanwell Park, Middlesex, to Katherine, youngest dau. of the late rev. James Carter Green, of North Grimston.

10. At Brighton, the hon. John Boyle, eldest son of the earl of Cork and Ossory, to the hon. Cecilia de Roos, sister to lord de Roos.

PROMOTIONS.

CIVIL PREFERMENT.

Rev. H. Howarth, to be christian advocate of St. John's college, Cambridge.

FEBRUARY.

GAZETTE PROMOTIONS.

13. 26th Foot, lieut.-col. M. Beresford to be lieut.-col.

16. Vice-adm. sir Pulteney Malcolm to wear the grand cross of the order of the Saviour, granted by Otho, king of Greece.

17. Lieut.-general sir G. Townsend Walker, G.C.B., John Barrow, of Ulverston co. Lanc. esq.; and Francis Lyttelton Holyoake Goodricke, of Ribston Hall, co. York, and Studley castle, co. Warwick, created baronets of the United Kingdom.

18. Earl of Wilton to be of the privy council.

— Knighted, colonel James Limond, Madras artil.; colonel Joseph O'Halloran, C. B. Bengal army.

— Knighted, major-gen. Thos. Bligh St. George, C.B. and K.C.H.; col. J. O'Halloran.

— Lieut.-col. J. Hastings Mair to be Governor of Dominica.

20. 2d West India reg. major W. B. Nicolls to be lieut.-col.

23. Visc. Castlereagh, and the right hon. H. T. L. Corry, sworn of the privy council.

— The duke of Buccleugh elected K. G.

25. H. W. Macaulay, esq. to be his majesty's commissary judge, and W. W. Lewis, esq. to be commissioner of arbitration, in the mixed British and Foreign courts of commissions established at Sierra Leone.

— Knighted, Charles Bullen, esq. capt. R.N. C.B. and K.C.H.

27. Ceylon regt.—major T. Fletcher to be lieut.-col.

28. Rt. hon. sir Charles Manners Sutton, created baron Bottesford, of Bottesford, co. Leicester, and viscount Canterbury of the city of Canterbury.

— Major-gen. sir Howard Douglas, bart. to be lord high commissioner of the Ionian Islands.

ECCLESIASTICAL PREFERMENT.

Archdeacon Corrie to be bishop of Madras.

CIVIL PREFERMENTS.

The rev. Richard Jones, M.A., professor of political economy at King's College, London, to be professor of political economy and history in the college of the East India Company at Hayleybury.

G. G. Maclean, M. D. to be Hebrew professor in the Marischal college and university of Aberdeen.

Hon. J. C. Talbot, to be recorder of Monmouth.

Clarkson Stanfield, and William Allan, esqrs. elected royal academicians.

MARCH.

GAZETTE PROMOTIONS.

4. John Nicholl, esq. LL.D. to be a commissioner of the treasury, vice Ewart Gladstone, esq., appointed under secretary of state for the colonies.

— 73rd Foot, lieut.-col. J. F. Love, 76th regiment to be lieut.-col.

13. 72nd Foot, major R. Ferguson to be lieut.-col.

18. Knighted, major-general Thomas Pearson.

Right hon. Henry lord Cowley, G.C.B. to be ambassador to the king of the French.

27. 5th Foot, lieut.-gen. sir C. Colville, 14th reg. to be colonel.

— 14th Foot, general the hon. sir A. Hope, 47th reg. to be colonel.

— 47th Foot, lieut.-gen. sir W. Anson, bart. and K.C.B. 66th reg. to be col.

— 66th foot, lieut.-gen. R. Blunt to be colonel.

— Ceylon regiment, major J. Macpherson, 13th reg. to be lieut.-col.

28. Lieut.-gen. the hon. sir Edward Stopford, to be G.C.B.

— Major-gen. the hon. H. King to be K.C.B. G.C.B.

Knighted, at Dublin, lieut.-colonel Charles H. Hastings, steward of the lord lieutenant's household.

William O'Malley, esq. ensign, 14th regiment.

MEMBERS RETURNED TO PARLIAMENT.

Camb. University.—Hon. C. E. Law.

Canterbury.—Right hon. sir S. R. Lushington (duly elected), vice Villiers.

Cardiff.—J. Nicholl, esq. D. C. L. re-elected.

PROMOTIONS.

CIVIL PREFERMENTS.

John Hildyard, esq. to be recorder of Leicester, vice Mr. serjeant Goulburn, M.P.

John Wastie, esq. to be recorder of Oxford, vice the late sir W. E. Taunton.

Andrew Amos to be deputy recorder of Nottingham.

Sir C. Wetherell to be temporal chancellor of the county palatine of Durham.

Dr. Abercrombie to be lord rector of the university of Aberdeen.

Mr. Thomas Henderson, to be professor of practical astronomy in the university of Edinburgh.

APRIL.

GAZETTE PROMOTIONS.

1. Thomas Fred. Elliot, esq. to be secretary to earl Amherst, as high commissioner in Lower Canada.

2. Sir R. Plasket to be his majesty's civil commissioner to take possession of the island of St. Helena, on behalf of his majesty, and to administer the civil affairs of that island.

7. The right hon. sir C. Bagot, G.C.B. to bear his majesty's congratulations to the new emperor of Austria.

— Hon. Charles Ashburnham to be secretary to his majesty's legation to the united Mexican States.

— James Wilson, esq. to be chief judge in the Mauritius.

8. Right hon. Alexander Baring, of the Grange, Hants, created baron Ashburton, of Ashburton, Devon.

Viscount Lowther, marquis of Bute rear-adm. sir T. M. Hardy, bart. G.C.B. George Richard Robinson, esq., Aaron Chapman, esq., Capt. F. Beaufort, and Octavius Wigram, esq. to be his majesty's commissioners for inquiring into the laws respecting pilots.

THE NEW MINISTRY, APRIL 18 AND 20.

Of the Cabinet: Lord Melbourne to be first lord of the treasury; lord John Russell, secretary for the home department; lord Palmerston, secretary for foreign department; lord Auckland, first lord of the admiralty; right hon. T. S. Rice, chancellor of the exchequer; right hon. sir J. Hobhouse, president of the board of control; Viscount Duncan-

non, chief commissioner of woods and forests, and privy seal; right hon. Charles Grant, secretary for the colonial department; lord Holland, chancellor of the duchy of Lancaster; marquis of Lansdowne, lord president of the council; lord Howick, secretary at war; right hon. C. P. Thomson, president of the board of trade.

Sir C. Pepys, master of the rolls, sir L. Shadwell, vice chancellor, and sir J. B. Bosanquet, one of the judges of the Common Pleas, to be lords commissioners of the great seal; sir John Campbell, attorney-general; Mr. Rolfe, solicitor-general; Mr. Cutlar Fergusson, judge advocate-general; marquis of Conyngham, postmaster-general; sir H. Parnell, paymaster-general and treasurer of the navy; lord Mulgrave, lord-lieut. of Ireland; lord Plunkett, lord-chan. of Ireland; Mr. Perrin, att.-gen. for Ireland; Mr. O'Loughlin, solicitor-general for Ireland; Mr. John A. Murray, lord advocate of Scotland; Mr. Cunninghame, solicitor-general for Scotland; lord Seymour, Mr. Ord, and Mr. R. Steuart, lords of the treasury; lord Auckland, adm. Adam, adm. sir W. Parker, capt. hon. G. Elliott, R.N., sir E. T. Troubridge, and lord Dalmeney, lords of the admiralty; sir Rufane Donkin, surveyor-general of the ordnance; colonel Leith Hay, clerk of the ordnance; lieut.-colonel Fox, storekeeper-general; H. Labouchere, esq. vice president of the board of trade and master of the mint.

Secretaries — Ireland, viscount Morpeth; treasury, F. Baring, esq., E. J. Stanley, esq.; admiralty, Charles Wood, esq.; board of control, R. Gordon, esq. and R. V. Smith, esq.

Under-secretaries of state — Home, hon. Fox Maule; colonies, sir George Grey, bart.

Private Secretaries — to lord Melbourne, Mr. Young; to lord John Russell, Chas. Gore, esq.; to Mr. Stanley, George Arbuthnot, esq.

Household—Lord Chamberlain, marquis Wellesley; Lord Steward, duke of Argyll; master of the horse, earl of Albemarle; master of the buck-hounds, earl of Errol; captain of the yeomen of the guard, earl of Gosford.

MEMBERS RETURNED TO PARLIAMENT.

Drogheda.—A. C. O'Dwyer, esq. re-elected.

PROMOTIONS.

Nottinghamshire.—H. Gally Knight, esq. re-elected.

Nottingham.—Rt. hon. sir J. Hobhouse, re-elected.

CIVIL PREFERMENTS.

11. Rev. G. Archdall, B.A., to be master of Emanuel college, Cambridge.

16. Dr. H. Holland to be physician extraordinary to the king.

24. 60th foot, lieut.-col. the hon. H. R. Molyneux to be lieut.-col.

— 67th foot, lieut.-col. T. Bunbury to be lieut.-col.

MAY.

GAZETTE PROMOTIONS.

4. Right hon. Charles Grant to be baron Glenelg, of Glenelg, co. Inverness.

— Right hon. sir R. Hussey Vivian, bart. to be master-general of the ordnance.

— R. Torrens, W. A. Mackinnon, M.P., W. Hutt, M.P., J. G. Shaw Leffevre, G. Palmer, jun., J. Wright, Jacob Montefiore, S. Mills, G. F. Angus, and Edw. Barnard, esquires, to be the colonization commissioners for South Australia.

5. Right hon. Granville Leveson earl Granville, G.C.B. to be ambassador to the king of the French.

6. Knighted, Robert Monsey Rolfe, esq. his majesty's solicitor-general.

— The hon. George Stevens Byng, comptroller of his majesty's household.

8. Right hon. Edward John Littleton, to be baron Hatherton, co. Stafford.

— Right hon. lieut.-gen. sir John Byng to be baron Stafford, of Harmondsworth.

— 9th foot, lieut.-col. Colin Campbell, to be lieut.-col.

12. Right hon. Henry Labouchere, to be of the privy council.

16. R. M. O'Farrall, esq. to be a commissioner of the treasury.

20. The right hon. marquis Conyngham and right hon. viscount Morpeth to be of the privy council.

— Knighted, rear-adm. John Acworth Ommanney, C.B.

— Graham Speirs, esq. to be sheriff depute of the shires of Elgin and Nairn.

22. Earl of Lichfield to be his majesty's postmaster general.

24. 74th foot, lieut.-gen. sir R. Riall, K.C.H. to be col.

27. Right hon. sir R. Hussey Vivian, bart. and the right hon. G. S. Byng to be of his majesty's privy council.

28. Royal artillery, major-gen. sir J. Maclean, K.C.H. to be colonel commandant.

29. 35th foot, lieut.-col. J. Keightly, to be lieut.-col.

MEMBERS RETURNED TO PARLIAMENT.

Berwick-upon-Tweed.—Sir R. S. Donkin, re-elected.

Cambridge.—Right hon. T. Spring Rice, re-elected.

Cashell.—Louis Perrin, esq. re-elect.

Clackmannan and Kinross Counties.—Ad. Charles Adam, re-elected.

Devonshire, Southern Division.—M. E. Newcombe Parker, esq.

Dundee.—Right hon. sir H. Parnell, re-elected.

Dungarvon.—Michael O'Loughlin, esq. re-elected.

Edinburgh.—Sir John Campbell, knt. re-elected.

Elgin Burghs.—A. L. Hay, esq. jun. re-elected.

Essex (North).—J. Payne Elwes, esq.

Haddington Burghs.—Rob. Steuart, esq. re-el.

Inverkeithing Burghs.—Lord Dalme-ney, re-elected.

Inverness County.—Alex. Wm. Chisholm, of Chisholm, esq.

Kirkcudbright.—Right hon. R. C. Ferguson, re-elected.

Leith.—Right hon. John A. Murray, re-elected.

Malton.—Right hon. sir Charles C. Pepys, re-elected.

Manchester.—Right hon. Charles P. Thomson, re-elected.

Newport.—Wm. Henry Orde, esq., re-elected.

Northumberland (North).—Viscount Howick, re-elected.

Penryn.—Robert Monsey Rolfe, esq. re-elected.

Poole.—Hon. George Byng.

Staffordshire (South).—Sir H. F. Goodricke.

Sandwich.—Sir E. T. Troubridge, re-elected.

Stroud.—Right hon. lord John Russell, re-elected.

Taunton.—Henry Labouchere, esq. re-elected.

PROMOTIONS.

Totnes.—Lord Seymour, re-elected.

Yorkshire (West Riding).—Viscount Morpeth, re-elected.

JUNE.

GAZETTE PROMOTIONS.

5. 1st. dragoons, major T. Marten to be lieut.-col.

8. Archibald earl of Gosford created a peer of the United Kingdom by the title of baron Worlingham, of Beccles, Suffolk.

9. Earl of Gosford to be governor in chief of the provinces of Lower and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward.

19. Right hon. the earl of Gosford, sir Charles Edward Grey, knight, and George Gipps, esq. to be his majesty's commissioners for the investigation of all grievances affecting his majesty's subjects in Lower Canada; and T. F. Elliot, esq. to be secretary to the said commissioners.

— 9th foot, lieut.-col. John M'Caskill, to be lieut.-col.

— 98th foot, lieut.-col. Colin Campbell to be lieut.-col.

24. Col. sir S. Gordon Higgins to be equerry to the duchess of Gloucester.

— Knighted, capt. W. H. Dillon, R.N. and capt. G. Gipps, royal eng.

— Right hon. sir Harford Jones Bridges, bart. to be of the privy council.

27. Edw. Marjoribanks, of Wimpole-street to be a gentleman of his majesty's privy chamber.

29. Royal engineers, brevet majors M. C. Dixon and P. D. Calder to be lieut.-colonels.

MEMBERS RETURNED TO PARLIAMENT.

Carlrow Co.—N. A. Vigors, and A. Raphael, esqrs.

Drogheda.—Andrew Carew O'Dwyer, esq.

Ipswich.—Rigby Wason, and James Morrison, esqrs.

Kildare Co.—R. M. O'Ferrall, esq.

Kingston-upon-Hull.—C. P. Thompson, esq.

Tiverton.—Lord visc. Palmerston.

JULY.

GAZETTE PROMOTIONS.

1. Right hon. lord Charles Fitzroy and right hon. sir Charles Edward Grey, knight, to be of the privy council.

— Knighted, Francis Chantrey, esq. R.A.

3. The earl of Durham to be ambassador extraordinary to the emperor of Russia.

— Capt. sir Edm. Lyons, R.N. to be minister plenipotentiary to the king of Greece.

— Hon. H. E. Fox to be secretary to his majesty's embassy at Vienna.

— Sir Alex. Malet, bart. to be secretary to his majesty's legation at Turin.

12. G. Birrell, esq. to be attorney-general of the Bahama islands.

13. C. H. Tracy, esq., hon. sir Edw. Cust, hon. T. Liddell, G. Vivian, esq. and Samuel Rogers, esq. to be his majesty's commissioners for examining and reporting upon the plans which may be offered by competitors for rebuilding the houses of parliament.

16. C. S. Lefevre, G. J. Pennington, J. E. Drinkwater, E. Rushton, S. A. Rumball, G. B. Lennard, D. Maude, J. Buckle, J. Aldridge, J. Hanmill, H. D. Jones, J. W. Pringle, J. J. Chapman, H. R. Brandreth, Gustavus du Platt, and W. T. Denison, esqrs. to be commissioners for inquiring into the present metes and bounds of certain cities, boroughs, cinque ports, and municipal corporations in England and Wales.

17. 57th foot, lieut.-col. G. E. Jones, to be lieut.-col.

— 89th foot, lieut.-col. H. R. Hartley, to be lieut.-col.

19. Right hon. Gilbert earl of Minto, G.C.B. the hon. Mountstuart Elphinstone, John James Hope Johnstone, esq. R. Bell, esq. procurator of the church of Scotland, J. Meliss Lairne, esq. of Dunsinnan, T. H. Lester, esq. and J. Shaw Stewart, John James Reid, A. C. Dick, H. Baxter, and E. Horseman, esqrs. advocates, to be commissioners for inquiring into the opportunities of religious worship and means of religious instruction in Scotland.

— Earl Bandon elected a representative peer of Ireland.

— Earl of Cork and earl of Howth to be knights of St. Patrick.

— Sir William Gossett to be serjeant-at-arms to the house of commons.

— Lieut. T. Drummond, R.N. to be under secretary of state at Dublin castle.

22. Knighted, Alex. Ferrier, esq. K.H. consul at Rotterdam.

PROMOTIONS.

23. Knighted at Dublin, lieut.-col. C. Routledge O'Donnell.

24. Stephenson Villiers Surtees, esq. to be vice president of the court of appeal in the Mauritius.

28. Right hon. sir R. Adair, G.C.B. to a special mission to the court of Prussia.

31. Knighted, Robert Chermside, esq. M.D.

MEMBERS RETURNED TO PARLIAMENT.

Ayrshire.—John Dunlop, esq.

Bury St. Edmund's.—Lord Charles Fitzroy.

Drogheda.—Hon. Randal Plunket.

Oldham.—John Frederick Lees, esq.

AUGUST.

GAZETTE PROMOTIONS.

3. Adm. lord Amelius Beauclerk to be G.C.B.

5. Knighted, capt. Samuel Warren, R.N., K.C.H.

10. Rear-adm. Charles Adam to be K.C.B.

15. Prince George of Cumberland and Prince George of Cambridge elected knights of the garter.

19. John William Birch, esq. to be clerk-assistant of the parliaments.

28. 12th foot, major J. Jones to be lieut.-col.

29. The duke of Cambridge to be ranger of Richmond New Park.

MEMBERS RETURNED TO PARLIAMENT.

Carlow Co..—Thomas Kavanagh, esq. and Henry Bruen, esq. duly elected, *vice* Vigors and Raphael.

SEPTEMBER.

GAZETTE PROMOTIONS.

2. Knighted, lieut.-gen. Ralph Darling, G.G.H., col. 90th regt. late governor of New South Wales.

15. The earl of Minto, G.C.B. to be first lord of the admiralty.

Right hon. Louis Perrin to be fourth justice of the King's Bench in Ireland; Michael O'Loghlin, esq. to be attorney-general; and John Richards, esq. to be solicitor-general.

23. H. S. Fox, esq. to be his majesty's minister plenipotentiary to the United States of America.

23. H. C. J. Hamilton, esq. to be his majesty's minister plenipotentiary to the emperor of Brazils.

— J. H. Mandeville, esq. to be his majesty's minister plenipotentiary to the United Provinces of Rio de la Plata.

— David Urquhart, esq. to be secretary to his majesty's embassy at the Sublime Ottoman Porte.

MEMBER RETURNED TO PARLIAMENT.

Belfast.—G. Dunbar, of Belfast, esq.

OCTOBER.

GAZETTE PROMOTIONS.

1. W. Norris, esq. to be chief justice, and,

2. John Jeremie, esq. to be second puisne judge of the supreme court of Ceylon.

9. 4th foot, lieut.-gen. John Hodgson to be colonel.

— 8th foot, major T. Gerard Ball to be lieut. col.

— 69th foot, major Eaton Monins to be lieut.-col.

— 83d foot, major-gen. Hastings Fraser to be colonel.

16. 25th foot, capt. W. J. D'Urban to be major.

— 40th foot, brevet major J. H. Barnett to be major.

Royal Navy.—Commander Back to be captain.

28. Sir Edward Cromwell Disbrowe to be minister plenipotentiary to the king of the Netherlands.

— The hon. John Duncan Bligh to be minister plenipotentiary to the king of Sweden and Norway.

— John Ralph Milbanke, esq. to be secretary to his majesty's embassy at St. Petersburg.

— The hon. F. G. Molyneux to be secretary to his majesty's legation at Frankfort.

MEMBERS RETURNED TO PARLIAMENT.

Waterford Co..—W. Villiers Stuart of Dromona.

Dungarvon.—Michael O'Loghlin, esq.

NOVEMBER.

GAZETTE PROMOTIONS.

15. Robert Parker, esq. to be puisne judge in New Brunswick.

MARRIAGES.

20. Lord Geo. W. Russell to be envoy extraordinary to the king of Prussia.

— Sir George Shee, bart. to be envoy extraordinary to the king of Wurtemberg.

27. G. H. Seymour, esq. to be envoy extraordinary to the king of the Belgians.

— R. Abercrombie, esq. to be minister resident at the court of the grand duke of Tuscany.

— Sir G. B. Hamilton, K.C.B. to be secretary of legation at Berlin.

— Henry Lytton Bulwer, esq. to be secretary of legation at Brussels.

— Sir F. B. Head to be lieut.-governor of the province of Upper Canada.

DECEMBER.

GAZETTE PROMOTIONS.

2. Alex. Currie, esq. advocate, to be sheriff depute of the shire of Banff.

4. 21st Foot, major J. C. Hope to be lieut.-col.

11. 57th Foot, lieut.-gen. right hon. sir F. Adam to be col.

— 73d Foot, major-gen. lord Harris to be col.

— 86th Foot, major-gen. hon. sir F. C. Ponsonby to be col.

MEMBERS RETURNED TO PARLIAMENT.

Devizes. — Thomas Henry Sutton Bucknall Estcourt, of Newpark, Wilts, esq.

Northampton (Northern Division). — Thomas Philip Maunsell, of Thorpe Malsor, esq.

DEATHS.

1834.

June 9. At Serampore, in the East Indies, in his 73rd year, the rev. William Carey, D.D. M.A.S. of Calcutta, &c. This eminent Christian Missionary and distinguished Oriental scholar was born at Paulerspury, in Northamptonshire, on the 17th of August, 1761. His father kept a small free-school in the village,

in which he gave his son an ordinary English education; but at a very early period, William Carey discovered a great aptitude in acquiring knowledge, and much diligence in seeking it. When he had attained the age of 14 years he was apprenticed to a shoemaker in the village of Hackleton, where he attracted the notice, and obtained the friendship, of the rev. Thomas Scott, then of Ravenstone. While resident at Hackleton, and before he had reached his twentieth year, his mind became seriously and devoutly affected. He united himself in Christian communion with a Baptist Congregation, and commenced village preaching, and in the year 1783, he was publicly baptized at Northampton, in the river Nen, by the late Dr. Ryland. Three years afterwards he was chosen pastor of the Baptist congregation at Moulton, near Northampton. After he had settled in this village, he married his first wife. His resources were then so limited, that he and his family often lived many days together without tasting animal food, yet he studied the Latin, Greek, and Hebrew languages, and devoted his spare time, and employed the energies of his active mind, in extracting from the Holy Scriptures, and arranging for himself, a system of divine truth. His pursuits led to an acquaintance with the rev. Robert Hall, then of Arnsby, and with Messrs. Fuller, Sutcliff, and Ryland, other Baptist Ministers in that neighbourhood, with whom he frequently communicated on the subject of religion. He was also materially assisted in his inquiries, and eventually settled in his opinions, by examining the writings of President Edwards; whose principles he is stated to have "drank in with approbation and delight." From Moulton he removed to Leicester in the year 1787, having been invited to take charge of the Baptist Congregation in that town. In this new station his zeal and perseverance gained for him many friends, and he made Missionary enterprise among the heathen, the constant subject of conversation with neighbouring ministers, until he had inspired them with views similar to his own, and disposed them to associate for the accomplishment of their benevolent purpose. This they did on the 2nd of October, 1792, when they assembled at Kettering in Northamptonshire, and then formed themselves into a Baptist Missionary Society.

DEATHS.

India was the field which they chose for the commencement of their operations. Mr. Carey, with Mr. Thomas, who died in India not long after his arrival, was solemnly designated to the work of an evangelist by the Baptist ministers of the midland counties, assembled at Leicester, on the 20th of May, 1793; and on the 13th of June following, the two Missionaries embarked on board a Danish Indiaman, accompanied by Mr Carey's whole family. Early in 1794, they arrived in Bengal, where, at the very commencement of their career, they encountered two discouraging events. A native in whom they expected to meet with a convert to Christianity, had relapsed into idolatry, and a small investment which they had taken with them as the means of their support and establishment, and the boat which contained it, were sunk in the Hooghly, leaving Carey, with his wife and children, in a foreign land, suddenly deprived of nearly all their means of subsistence. Thus desolate, they proceeded about forty miles east of Calcutta, in an open boat, in search for a home, and on the night of the 6th of February, 1794, landed at Delhatta, the residence of the late Charles Short, esq., from whom they received the kindest attention and hospitality. With that Gentleman, the sister of Mrs. Carey was not long afterwards united in marriage. While in this neighbourhood, Mr. Carey erected a temporary residence or tent, purposing to support his family by the cultivation of land; but early in the month of March he was invited to take charge of an indigo factory near Malda, the property of Mr. Udney, a servant of the East-India Company of high rank. Mr. Carey accepted the invitation, and arrived there on the 15th of June following. His letters, written at this period, describe his feelings of extreme regret, arising out of his inability fully to execute his commission through want of a sufficient acquaintance with the native languages; and his fixed determination to devote all his energies, and all his surplus earnings, to the translation and printing, at the earliest practicable period, of a Bible in the Bengalhee language. In the year 1795 he suffered, both in his own person and in his family, much severe illness, followed by the loss of one of his children; he, nevertheless, succeeded in the establishment of a school in the neighbourhood of his factory, and

began to preach there in the language of the country every sabbath day, and on one other day in every week. In 1797, he made a journey into Bootan, and obtained the consent of the Soubah to an attempt to introduce Christianity into that country, so soon as a fit agent could be provided. In the same, and in the following years, he preached publicly in Dinagepore. Towards the close of 1799 he resolved to relinquish his appointment in the neighbourhood of Malda, and to take up his residence in the Danish settlement of SERAMPORE, a place which has since derived its chief importance and celebrity from its being the seat of this mission. Mr. Carey appears to have been induced to take this step in consequence of the East-India Company's Government having, from political considerations, refused to permit some younger missionaries, who had been sent to his assistance, to establish themselves with him at his inland station. Mr. Carey's removal from Malda to Serampore was attended by some sacrifices, but it had its countervailing advantages. At Serampore, the missionaries had assurance that their object was recognized and approved by the Danish Governor, Colonel Bie, and that they would enjoy adequate protection in their missionary labours; the town of Serampore and surrounding country were also more populous than the vicinity of Malda, and afforded better accommodation and greater facilities for printing the Sacred Scriptures in the native languages. The mission family upon its establishment at Serampore consisted of the senior missionary, Mr. Carey, with three younger assistants, Messrs. Ward, Marsham, and Fountain, then recently arrived from England, together with their wives and children. A school for children and youth was immediately opened, and preaching commenced: the missionaries supplying both departments of service in rotation. A printing press was also established with the consent of the Governor, and under a condition that it should be confined in its operations to the printing of philological works and the Scriptures in the native languages; and an edition of the Scriptures in the Bengalhee language was immediately commenced with the aid of types from Europe. This year, it is stated in the missionary reports, did not close without the conversion of two

DEATHS.

natives, Gokool and Kristno, who both renounced caste, and came and ate publicly with the missionaries; but their conversion caused a considerable disturbance in Serampore; the natives in that settlement, to the number of not less than 2,000, having assembled, seized the converts and dragged them before the Danish Authorities, by whom their conduct was defended and their persons liberated. Gokool, however, appears to have been intimidated by this violent proceeding from submitting to the ordinance of baptism as he had intended. Kristna and his family were baptized; and, shortly afterwards, several other converts followed their example. In 1801, Mr. Carey's success in the study of the vernacular languages of India recommended him for an honourable and lucrative appointment under the Government. The Governor General, Marquess Wellesley, had taken upon himself the responsibility of founding a college in Fort William, in which the junior servants might undergo a regular course of training for the public service; and he selected Carey to fill the chair of professor, in the Sanscrit, Bengalhee, and Mahratta languages. In 1805, Mr. Carey published his Grammar of the Mahratta language, and in the same year opened a Mission chapel in the Loll bazaar in Calcutta; but in the following year, while sir George Barlow held provisionally charge of the Government of India, the Vellore mutiny occurred, supposed to have been occasioned by the apprehensions of the native troops lest the company should determine to pursue a system of *forcible proselytism*. This event so alarmed the Bengal Council that orders were issued for the discontinuance, for a time at least, of all missionary exertions. Mr. Carey was suddenly made acquainted with this order one morning on his way to his office in the college. Such however, was the personal respect entertained towards him, that it was communicated in the form of a *request that he would not preach to the natives, nor suffer native converts to preach; nor distribute, nor suffer the natives to distribute, religious tracts; nor send forth converted natives; nor take any step, by conversation or otherwise, for persuading the natives to embrace Christianity*. In the discussions which immediately followed this communication, Mr. Carey maintained

the inexpediency and even inconsistency with the dictates of Christianity, of such an utter abandonment of its claims. The order was, therefore, very much modified; and although preaching in the Loll bazaar in Calcutta was for a time discontinued, the missionaries were assured that the Government was "well satisfied with their character and deportment, and that no complaint had ever been lodged against them." They moreover continued to enjoy, as an ulterior resort, and so far as it might be necessary for them to avail themselves of it, the local protection of the Danish flag.

About the year 1805 Mr. Carey, received from one of the British Universities a diploma as Doctor of Divinity, and in the following year was elected a member of the Asiatic Society of Calcutta. From this period to the close of his earthly career, the mission over which Mr. Carey presided, appears to have been almost uniformly prosperous. In 1814 the missionaries had twenty stations in India, at which the distribution of religious tracts, and the Sacred Scriptures, together with the education of children, and at some of them preaching, were constantly carried on. In the following year 1815 the new Charter Act of 1813, which had made express provision for the moral improvement of the natives of India, came into operation, and not only gave a legal sanction to the exertions of the missionaries, as schoolmasters or teachers, but provided funds which were directed towards the same end, at least, as to the education of the natives. In the department of Philology Dr. Carey's labours were immense; his "Mahratta Grammar," already mentioned, was followed by a "Sanskrit Grammar," 4to., in 1806; a "Mahratta Dictionary," 8vo., in 1810; a "Punjabee Grammar," 8vo., in 1812; a "Telinga Grammar," 8vo., in 1814; also, between the years 1806 and 1810, he published the "Raymayana," in the original text, carefully collated with the most authentic MSS., in three volumes 4to. His Philological works of a later date are a "Bengalhee Dictionary," in three vols. 4to., 1818, of which a second edition was published in 1825; and another in 8vo., in 1827-1830; a "Bhontanta Dictionary," 4to., 1826; also, a "Grammar" of the same language, edited by him and Dr. Marshman. He

DEATHS.

had also prepared a "Dictionary of the Sanscrit," which was nearly completed, when a fire broke out in Serampore and burnt down the printing-office, destroying the impression together with the copy, and other property. The versions of the "Sacred Scriptures" which have issued from the Serampore press, and in the preparation of which Dr. Carey took an active and laborious part, are numerous. They are in the following languages:—Sanskrit, Hindee, Brij Bhassa, Mahratta, Bengalhee, Orissa or Ooriya, Telinga, Kurnata, Maldivian, Gujurattee, Buloshee, Push-too, Punjabee or Shekh, Kashmeer, Assam, Burman, Pali or Magudha, Tamul, Cingalese, Armenian, Malay, Hindosthanee, and Persian; to which must be added the Chinese. Dr. Carey lived to see the Sacred Text, chiefly by his instrumentality, translated into the vernacular dialects of more than forty different tribes, and thus made accessible to nearly 200,000,000 of human beings, exclusive of the Chinese Empire, in which the labours of the Serampore Missionaries have been in some measure superseded by those of Dr. Morrison. To the study of Botany he gave much attention. His principal service to this science and his last work, was the editing his deceased friend Dr. Roxburgh's "Flora Medica," in 3 vols. 8vo. The year 1834 terminated the labours of this excellent man. His health had been declining for several years, when in September, 1833, he had a stroke of apoplexy; and he was confined to his bed in a state of great helplessness, scarcely able to speak or to receive nourishment, till on Monday, June 9, he died. He was thrice married, and had several children. A widow and three sons survive him. William, who occupies the missionary station at Cutwa; Jabez, who has been employed under the government in establishing schools in the distant province of Ajmere; and Jonathan, an attorney of the Supreme Court in Calcutta. Dr. Carey was interred by his own express desire, on the morning following the day of his death, by the side of his second wife. He gave particular directions that the following inscription, and nothing more, should be placed on his tomb stone:—

"William Carey, born August 17, 1761, died—
 "A wretched, poor, and helpless worm,
 "On thy kind arms I fail."

Aug. 1, 1834. At his lodging, No. 6, in the Danish Hong, at Canton, in China, in his 53rd year, that eminent Chinese scholar, the rev. Robert Morrison, D. D. F. R. S. M. R. A. S. &c. &c. The father of Dr. Morrison, Mr. James Morrison, was born in Perthshire, and when a young man removed into Northumberland. Robert, the youngest of his children, was born at Morpeth, January 5th, 1782. About the year 1785, his parents removed to Newcastle, where he was taught reading and writing by his uncle, Mr. James Nicholson, a respectable schoolmaster; and at the proper age became an apprentice to his father. His early education was conducted under the immediate superintendence of his father, beneath whose paternal roof both his religious and intellectual character were formed. Under the tuition of the rev. W. Laidler, minister of the Presbyterian meeting-house in Silver-street, Robert Morrison acquired an elementary acquaintance with the Latin, Greek, and Hebrew languages, some systematic theology, and the art of writing short hand. In 1802 his mother died, and on the 7th January, 1803, he was received as a student into the dissenting academy at Hoxton, near London. On the 28th May, 1805, he placed himself under the patronage of the London Missionary Society, who sent him to their seminary at Gosport, to be educated for their service, under the superintendence of the rev. David Bogue. He returned to London in the summer of 1806, and having chosen China as the field of his missionary labours, he, the better to qualify himself for them, obtained the assistance, as a preceptor, of a young Chinese, named Yong-Sam-Tac, by whose assistance, and with the practice he acquired in forming the Chinese character by transcribing a Chinese MS. of the four Gospels in the British Museum, and by copying part of an old Chinese and Latin Dictionary, the property of the Royal Society, he made considerable progress in qualifying himself for his undertaking. In addition to the knowledge thus acquired of the Chinese language, he had gained some elementary acquaintance with medicine and surgery, by attending Dr. Blair's course of lectures on medicine, and walking St. Bartholomew's Hospital; and some insight into astronomy, from the instruction of Doctor Hutton of Woolwich. Thus qua-

DEATHS.

lified, on the 8th of January, 1807, he was formally ordained, according to the practice of the Church of Scotland, in the Scottish Church in Swallow-street, to the work of a Christian missionary among the Chinese; and on the 31st, he embarked for China, *via* America, and landed at Macao, on the 4th of September, 1807, whence he proceeded to Canton. On Mr. Morrison's arrival at that place, he was accommodated with lodging in the factory of the American agents, Messrs. Milner and Bull; where he continued to prosecute the study of the Chinese language, and assumed the Chinese habiliments; but these he relinquished, on discovering that his assumption of them was displeasing to those whom it was his wish, by all legitimate means, to conciliate. The first sixteen months of his residence were attended by many privations and difficulties; he spent the day with his Chinese teacher, studying, eating, and sleeping in a room under ground; foregoing the pleasures of intercourse even with his countrymen, and taking his meals with the Chinese who taught him the language. About the close of the year 1808, he informed the Missionary Society that he had completed a Grammar of the Chinese language; that his Dictionary of the same language was daily filling up, and that his MS. of the New Testament was in part fit to be printed; although he deferred sending it to press, until he should be more deeply versed in the language, in order that what should be done might not be hasty and imperfect. On the 20th of February, 1809, he married Miss Mary Morton, a young lady of eighteen, the daughter of Mr. John Morton, a native of Dublin, who became surgeon-in-chief to the Royal Irish Artillery. On the day after Mr. Morrison's marriage with this lady, he received information that the East-India Company's super-cargoes, to whom he had rendered some assistance in translating their Chinese correspondence, had resolved to give him an appointment as their secretary and interpreter. He appears to have been considered, at that early period, as the most expert Chinese scholar in the factories. The correspondence of the super-cargoes with the Chinese had previously been conducted in a very circuitous manner, and often with great difficulty, by the intervention of Portuguese padres, of the College of St.

Joseph, who first rendered the several papers, of which Chinese versions were required, into Latin, and then, with the aid of their native assistants, into Chinese. Mr. Morrison had in view, when he accepted a civil employment under the East-India-Company, and in perfect consistency with the obligations of the new office he had undertaken, to further the object of his mission. He had acquainted himself with the peculiar character of the people for whose moral and spiritual advantage he had been sent to China; he knew, and stated in his reports, that the country was, in fact, closed against itinerant foreigners, and that "preaching the Gospel," in the usual sense of the phrase, was a thing utterly impossible in China; but he thought that the press might be made a powerful agent, wherewith the strong-holds of Paganism in China might be assailed. Accordingly, in the year 1811, he printed, *in Canton, in the Chinese manner, from wooden blocks, an edition of the Acts of the Apostles in Chinese*. In the same year, he forwarded his Grammar of the Chinese language, through the committee of super-cargoes, to Lord Minto, the Governor-general of India, in order to its being printed at the Calcutta press; but the obstacles to the accomplishment of such a design appear to have been so great, that the work did not make its appearance till the year 1815, when it issued from the Serampore Mission press, having been printed there at the East-India-Company's sole expense, from types specially prepared for it in England. In 1813, Mr. Morrison completed an edition in Chinese of the whole of the New Testament, of which he forwarded a few copies to Europe, as presents to his friends; and particularly to the Bible Society, the London Missionary Society, and the Academy at Hoxton. He at the same time wrote and printed a Catechism in Chinese, with a tract on the doctrines of Christianity, of which 15,000 copies were printed and circulated. In April, 1814, Mr. John Robert Morrison, the present Chinese secretary to the superintendents at Canton, was born. In the year 1815, it was represented to the Court of Directors that he was prosecuting his translations of the Scriptures in the face (as it was erroneously conceived) of an edict of the Emperor of China, which prohibited the Chinese from consulting certain Christian books prepared and

DEATHS.

published by the Jesuits. The Court, therefore, ordered that his services should be dispensed with. On this occasion Dr. Morrison addressed a letter to the super-cargoes, in which he vindicated his conduct, by reminding them that, in accepting office, he had not consented to relinquish his important missionary trust; and at the same time submitting the impropriety of identifying his peaceful and legitimate pursuits with those of the Jesuits. These explanations were considered satisfactory, and his services were retained. In 1815, he commenced the publication of his Dictionary of the Chinese language. The first number was printed on the 29th of December, 1815, at a press established expressly for that purpose at Macao. It consists of three parts:—the first part, containing the Chinese and English, arranged according to the radicals, fills three quarto volumes of about 900 pages each, bearing date 1815, 1822, and 1823. It was by this systematical arrangement of the elements of the Chinese language that Morrison surmounted a difficulty which had till then been found insuperable by Europeans, in their endeavours to understand the speech and writings of the natives of this immense empire. In the advertisement, dated April 9th, 1822, which appeared at the close of the third volume, the author modestly pleaded his numerous engagements, as an apology for the time which had been spent in the preparation of this Dictionary. The second part, which fills two volumes, published in the years 1819 and 1820, contains the Chinese and English arranged alphabetically; the third part, published in the year 1822, consists of English words with Chinese meanings. Doctor Morrison's Chinese Dictionary occupied, from its commencement to its completion, thirteen years of the prime of his laborious life. He dedicated it to the Court of Directors of the East-India Company, by whose orders the Company's funds were charged with the entire expense of its publication, amounting to about 12,000*l*. The court, also, after having directed the distribution of 100 copies, presented the author with the remainder of the impression, for circulation among his friends, or for sale on his own account. After he had completed his translation of the New Testament, in 1813, he obtained the co-operation of the rev.

Mr. Milne, who had been sent to Malacca by the London Missionary Society, in charge of their missionary establishment at that place. With this gentleman, whose life fell a sacrifice to the climate in 1822, he maintained a constant and cordial friendship, and with his assistance he completed a Chinese version of the books of the Old Testament on the 25th of Nov. 1819. The portion of this work which was translated by Mr. afterwards Dr. Milne, consists of the book of Deuteronomy, and the later historical books, and the book of Job. The translation and publication of the whole of the Old and New Testaments, in nineteen volumes octavo, was completed in the year 1819. Leang-a-fa, a native Chinese, who had been converted to the Christian faith by Dr. Milne, assisted in passing the work through the press. Other editions of this work have been printed since the year 1819, at the expense of the British and Foreign Bible Society; and Dr. Morrison meditated, and indeed had undertaken, a new and revised edition of the Sacred Scriptures in Chinese, under the patronage of that Society. In 1817, he published a view of China for Philological Purposes, in one volume quarto, containing a sketch of Chinese chronology, geography, government, religion, and customs, designed for the use of persons who study the Chinese language. His Discourses of Jesus were also published in this year. In the same year, his extensive acquaintance with the language and literature of China recommended him as a fit person to accompany Lord Amherst on his embassy to Peking. Mr. Morrison, accordingly accompanied his Lordship, as his Chinese interpreter, and wrote a memoir of Lord Amherst's embassy, which was afterwards published. On the 24th December 1817, the Senatus Academicus of the University of Glasgow unanimously conferred upon him the degree of Doctor of Divinity, in token of their approbation of his philological labours. In 1818, Dr. Morrison executed a project, which he had long had in contemplation—the establishment of an Anglo-Chinese College at Malacca, in which the languages and literature of the two countries should be interchangeably communicated, chiefly with a view to the final object of his mission, the introduction of the Christian religion into China. The London Missionary Society

DEATHS.

had previously obtained a grant of ground, for the erection of a mission-house; and on a part of this ground, with some additional land, which he obtained by purchase, he caused his college to be erected. Towards the foundation of this college he gave 1,000*l.*, with an endowment of 100*l.* per annum for five years; and obtained the further requisite pecuniary aid from his friends in Europe and Asia. The foundation-stone was laid on the 11th Nov. 1818, by Lieut.-Col. William Farquhar, with the concurrence of the Dutch authorities, to whom the settlement was then on the eve of being restored.

Dr. Morrison visited this college in the year 1822, and, during his stay, entered into arrangements for forming a new institution at Singapore, in connexion with that at Malacca. The project was discussed and adopted at a public meeting held at Singapore, on the first of April, 1823, at which Sir Stamford Raffles presided; who appropriated for this establishment 100 acres of waste land, the property of the government, and assigned to Dr. Morrison fifty acres, on which to erect a private residence for himself, whenever he should reside for a season at Singapore. The erection of this college, towards which Dr. Morrison obtained private subscriptions to a considerable amount, and himself gave 1,000*l.*, commenced, on an extensive scale, on the 4th of August 1823; but the return to Europe of that distinguished statesman Sir S. Raffles shortly afterwards, co-operating with other causes, delayed the execution of the design.

Dr. Morrison, having lost his wife in 1821, revisited his native country in 1824. He brought with him to England his Chinese library, consisting of several thousand volumes in every department of literature; hoping to promote by the means of it the study of the language. For this purpose, he projected, and with the aid of friends in England founded, an institution, in Bartlett's-buildings, Holborn, which he called the Language Institution. During his residence in England, he published a thin quarto volume, entitled "The Chinese Miscellany," consisting of original extracts from Chinese authors, in the native character; with translations and philological remarks. In the publication of this work, he had recourse to lithography, an art which he subsequently described as peculiarly well

adapted to the multiplication of copies of pages written in the Chinese character, and which for that reason he introduced into China. In 1824, Dr. Morrison married Miss Eliza Armstrong, eldest daughter of Marton Crofton Armstrong, esq. late of co. Leitrim; and in the year 1826, he returned to China, under the auspices of the Court of Directors of the East-India Company; accompanied by his wife, an infant son, the fruit of their union, and his two elder children. After his return to China he had four children born at Macao, making seven in all; but in 1833 the extremely delicate state of Mrs. Morrison's health, caused her and the children to return to England. On the part of the Company he conducted a very extensive correspondence with the Chinese in the written character, which he wrote with the ease and rapidity of a native. On the arrival of Lord Napier at Macao, with his Majesty's commission, constituting the new arrangement for the administration of the British affairs in China, he found Dr. Morrison there; and, in pursuance of instructions received from our Government, appointed him Chinese secretary and interpreter to the commission. To the zealous discharge of the duties of this appointment his life fell a sacrifice. He had been, for some time previous, in a state of declining health, and was suffering under an affection of the liver, the symptoms of which had been considerably aggravated by the excessive heat of the weather. In this state it was considered necessary for him to accompany Lord Napier, on the 24th of July 1834, from Macao to Canton; where he did not arrive till the morning of the 25th, having been exposed during the night, in an open boat, on the Canton river, to very boisterous and rainy weather. His illness was greatly increased in consequence; but his friends were not alarmed for his life, until within an hour of the time when it became extinct. He expired in the arms of his eldest son. On the following day, the 2nd of August, his remains were carried by water to Macao. The following are some of Dr. Morrison's numerous publications, which have not been already noticed:—1. A Tract printed in China, in Chinese, entitled "A Voyage round the World, illustrative of the Manners and Religious Opinions of Christians." 2. A translation into Chinese of "the Morning

DEATHS.

and Evening Prayers of the English Church; with the Psalter, divided into portions to be read daily." 3. A translation into Chinese of the two first Homilies of the English Church.

Nov. 21. Within the rules of the King's Bench, in her 63d year, Mrs. Olivia Serres, the self-styled Princess Olive of Cumberland. This aspiring impostor was born at Warwick, April 3, 1772, and baptized at St. Nicolas church in that town, on the 15th of the same month, being the daughter of Mr. Robert Wilmot, a house-painter, and Anna Maria his wife. She was educated under the protection of her uncle, the Rev. James Wilmot, fellow of Trinity college, Oxford, and rector of Barton on the Heath in Warwickshire, and whilst living with him, shortly after quitting school, she appeared as a witness upon a very extraordinary trial for a burglary in her uncle's house, for which two men were convicted and executed. Her story was very marvellous, and her conduct, as she represented it, highly heroic. At an early age she was married to Mr. John Thomas Serres, who had the appointment of marine painter to the King and Duke of Clarence, and was a son of one of the early members of the Royal Academy. After a few years they separated, and Mrs. Serres had to support herself and children by her own efforts. In 1806 she was herself appointed landscape painter to the Prince of Wales. We believe she at one time made her appearance on the stage, and she is said to have performed Polly in the Beggar's Opera. Mr. Serres died on the 28th of December 1825. Olivia at an early age essayed her powers in original composition; but she did not venture before the public until the year 1805, when she printed a novel called "St. Julian." In the following year she put forth her poetical miscellanies, under the title of "Flights of Fancy." She also published the "Castle of Avala," an opera; and "Letters of Advice to her Daughters." In 1813 she embarked in the first of her attempts at imposture by proclaiming her late uncle before mentioned to have been the long-sought author of Junius. His pretensions were advanced in an octavo volume, entitled, "The Life of the Rev. James Wilmot, D.D." About the year 1817 she first discovered that she was not the daughter of Robert Wil-

mot, but of Henry Duke of Cumberland, brother to George the Third. At first she was satisfied to be accounted illegitimate; but she shortly professed herself to be his legitimate daughter; first her mother was Mrs. Payne, sister to Dr. Wilmot, and afterwards she became the Doctor's daughter. On these pretensions she proceeded to forward her claims to the Prince Regent and Royal family, and the officers of government. In June 1823 Sir Gerard Noel was induced to move for an investigation of her claims in the House of Commons, and was seconded by Mr. Hume; but Sir Robert Peel completely set the matter at rest. He concluded by observing that, "if these claims were given up, there were others which could yet be pressed. The lady had two strings to her bow. He held in his hand a manifesto of the Princess Olivia, addressed to the high powers of the kingdom of Poland, and stating that she was descended from Stanislaus Augustus!" Her latter years were spent in obscurity and poverty within the rules of the King's Bench.

Dec. 10. In Throgmorton-street, in his 76th year, Alexander Chalmers, Esq. M.A. F.S.A. He was born at Aberdeen, March 29, 1759, and was the youngest son of James Chalmers, and Susanna Trail, daughter of the Rev. James Trail, minister at Montrose. Having received a classical and medical education, he left his native city about the year 1777. He had obtained the situation of surgeon in the West Indies, and had arrived at Portsmouth to join his ship, when he suddenly altered his mind, and proceeded to the Metropolis, where he became connected with the periodical press. His literary career commenced about the same time with that of his townsman the late James Perry, Esq.; the latter as a writer in the General Advertiser, and the former as the editor of the Public Ledger and London Packet. This was during the American war, when party spirit ran very high. At this period Mr. Chalmers acquired considerable fame as a political writer. He also contributed to the other popular journals of the day. In the St. James's Chronicle he wrote numerous essays, many of them under the signature of SENEX. To the Morning Chronicle, the property of his friend Mr. Perry, he was for some years a valuable assistant. His contributions consisted of smart paragraphs,

DEATHS.

epigrams, and satirical poems. He was also at one time editor of the *Morning Herald*. Mr. Chalmers was early connected in business with Mr. George Robinson, the publisher in Paternoster-row. He was also a contributor to the *Critical Review*, then published by Mr. Robinson; and to the *Analytical Review*, published by Mr. Johnson. At this period he lived almost wholly with Mr. Robinson. In 1793, he published a *Continuation of the History of England*, in letters, 2 vols. In 1797, he compiled a *Glossary to Shakspeare*; in 1798, he published a sketch of the Isle of Wight, and an edition of the rev. James Barclay's *English Dictionary*. In 1803, he edited "*The British Essayists*, with prefaces historical and biographical, and a General Index," 45 vols. In 1803, he prepared an edition of *Shakspeare*, in 9 vols. 8vo. with an abridgment of the more copious notes of Steevens, and a life of *Shakspeare*. In 1805, he wrote a *Life of Burns*, and a *Life of Dr. Beattie*, prefixed to their respective works. In the same year he was elected a Fellow of the Society of Antiquaries. In 1806, he edited *Fielding's works*, 10 vols. 8vo; *Dr Johnson's works*, 12 vols. 8vo; *Warton's Essays*, the *Tatler*, *Spectator* and *Guardian*, 14 vols. 8vo; and assisted the rev. W. Lisle Bowles in the publication of *Pope's Works*, 10 vols. 8vo., 1807. In 1807, he edited *Gibbon's History*, with a *Life of the Author*, 12 vols. 8vo. In 1808, and the following years, he prefixed Prefaces to the greater part of the volumes of a Collection, selected by himself, known as "*Walker's Classics*," from the name of their publisher. They consisted of 45 vols. In 1809, he edited *Bolingbroke's works*, 8 vols. 8vo.; and in this and subsequent years, he contributed many of the *Lives* to the magnificent volumes of the "*British Gallery of Contemporary Portraits*," published by Cadell and Davies. These notices, though short, are authentic and valuable. In 1810, he revised an enlarged edition of "*The Works of the English Poets* from Chaucer to Cowper; including the series edited, with Prefaces biographical and critical, by Dr. Johnson, and the most approved Translations. The additional *Lives* by Mr. Chalmers"—in 21 vols. royal 8vo. In the same year he published "*A History of the Colleges, Halls, and Public Buildings attached to the University of Oxford*, including the lives of the Founders." In 1811, he

revised through the press Bishop Hurd's edition of *Addison's Works*, 6 vols. 8vo., and an edition of *Pope's Works*, in 8 vols. 18mo. In the same year, he republished, with corrections and alterations, a periodical paper, entitled "*The Projector*," 3 vols. 8vo. These *Essays* were originally printed in the *Gentleman's Magazine*. They began in Jan. 1802, and were continued monthly to Nov. 1809. He had previously written a periodical paper, called "*The Trifler*," in the *Aberdeen Magazine*; but those essays were never printed separately. In 1812, he prefixed a life of Alexander Cruden to the sixth edition of his "*Concordance*." The work, on which Mr. Chalmers' fame as an author chiefly rests, is, "*The General Biographical Dictionary*." The preceding edition of this work, 1798, was in 15 vols.; the present, in 32 vols. It was augmented by 3,934 additional lives; and of the remaining number, 2,176 were re-written, and the whole revised and corrected. The total number of articles exceed 9,000. In Nov. 1816, he republished "*The Lives of Dr. Edward Pocock*, the celebrated Orientalist, by Dr. Twells; of Dr. Zachary Pearce, Bp. of Rochester, and of Dr. Thomas Newton, Bp. of Bristol, by themselves; and of the rev. Philip Skelton, by Mr. Burdy," in 2 vols. 8vo. In 1819, Mr. Chalmers published, "*County Biography*," four numbers; and a *Life of Dr. Paley*, prefixed to his *Works*. In 1820, he published "*A Dictionary of the English Language*, abridged from the rev. H. J. Todd's enlarged edition of *Dr. Johnson's Dictionary*," 1 vol. 8vo. In 1822, he edited the ninth edition of *Boswell's "Life of Johnson"*; in 1823, a new edition of *Shakspeare*; and another edition of *Dr. Johnson's works*. In 1783, Mr. Chalmers married Elizabeth, the widow of Mr. John Gillett. She died in June, 1816. Mr. Chalmers' death was occasioned by the effects of inflammation of bronchia, having been previously much worn down by long confinement to his house.

Dec. 13. At his seat, Coley Park Reading, John Berkeley Monck, esq., formerly M. P. for that Borough. At the dissolution of the Parliament in 1812, Mr. Monck was invited to stand for the borough of Reading: but was unsuccessful. He subsequently went to the continent, where he resided several years, until he was sent for at the dissolution of Parliament in 1820, that he

DEATHS.

might be put in nomination for the borough. The result was this time successful. Some years afterwards he resigned to his constituents the trust they had reposed in him, and retired into private life. Mr. Monck published, in 1808, "Some occasional verses on the opening of the Reading Literary Institution," and was elected President of the Reading Philosophical Institution at its establishment, in 1831.

Dec. 17. At Tregothan, Cornwall, the seat of his son-in-law, the earl of Falmouth, aged 77, Henry Bankes, esq. of Kingston Hall, Dorsetshire, a Trustee of the British Museum. He was the only surviving son of Henry Bankes, esq., barrister-at-law, a Commissioner of the Customs, and M. P. for Corfe Castle. Mr. Bankes was educated at Westminster, and Trinity College, Cambridge, where he graduated B. A. 1778, M. A. 1781. He entered Parliament, in 1780, as one of the representatives of the borough of Corfe Castle; and was for many years an active member, generally supporting Mr. Pitt. He continued to sit in the House for his family borough, until, in 1826, he was elected for the county of Dorset. At the general election of the same year, he was re-chosen; but at that of 1830, after a severe struggle, he was defeated.

Dec. 27. At Edmonton, after a short illness, aged 60, Mr. Charles Lamb. He was a native of Lincolnshire. In his eighth year he was sent to Christ's Hospital. He continued there till 1789, about which time he obtained a situation as clerk in the East-India-House, where he continued till the year 1825, and then retired, with a handsome annuity, on the superannuated list. Mr. Lamb's principal Works were as follow:—A small volume entitled "Blank Verse," printed in 1798, in conjunction with his friend Charles Lloyd; "Specimens of the English Dramatic Poets," 1808. Two dramatic pieces, "John Woodvil," a tragedy, and "Mr. H." an after piece. "Rosamund Grey," a beautiful pathetic tale, and "Old Blind Margery." "Elia," 1823, a collection of Essays, which were the most admired of his works, and appeared originally in the London Magazine. "Album Verses," 1830. "The Adventures of Ulysses," and "Tales from Shakspeare," 2 vols. The last Essays of "Elia," 1833.

Subsequently to his "Specimens of the English Dramatic Poets," he published a second series, which appeared in Mr. Hone's Every Day Book, under the head of the "Garrick Papers," extracted from the valuable collection in the British Museum, and that work is illustrated with very valuable notes by Mr. Lamb. To this list of his productions may be added a small poem, entitled "Satan in quest of a Wife;" and he also aided his sister, Miss Mary Lamb, in her elegant little work entitled "Mrs. Leicester's School."

Dec. 29. At Bath, in his 69th year, the rev. Thomas Robert Malthus, F.R.S. the celebrated author on population. Mr. Malthus was the younger of the two sons of Daniel Malthus, esq., of Albury, in Surrey, a private gentleman of good family and independent fortune. He was born on the 14th of February, 1766, at the Rookery, near Dorking. In 1798 he published his "Essay on Population, with remarks on the speculations of Godwin and Condorcet," being the precursor, rather than the first edition, of his great work on Population. His views were first presented to the public in a single octavo volume, chiefly intended as a refutation of the theory of Condorcet and Godwin upon the perfectability of man; but as he reflected upon the subject, the necessity of a fuller and clearer exposition of it became more evident. That nothing might be wanting, therefore, to the work, he visited, in 1800, every country in Europe then accessible to English travellers, observing carefully all the facts likely to bear upon his subject. The fruits of these researches he carefully digested and arranged; and having embodied with them his former work, he gave them to the public in a quarto volume. In 1804, Mr. Malthus was appointed to the chair of History and Political Economy in the East-India-Company's College in Hertfordshire, a situation which he filled during the remainder of his life. Of his various publications subsequent to the Essay on Population, perhaps the most important was "The Principles of Political Economy."

1835.

JANUARY.

2. John Jones, esq., of Portland-pl. and Dery Ormond, Cardiganshire.

DEATHS.—JAN.

— In his 77th year, Napier Christie Burton, esq., a general in the army, colonel-commandant of the 60th foot, or rifle corps.

2. At Northbank, Regent's park, the widow of Edw. Saunders, esq., a member of council at Madras.

— In Montagu-pl., aged 32, the hon. Philip Henry Abbot, barrister-at-law, M.A. of Oxford, second son of the late lord Colchester.

— At Sidmouth, in his 84th year, Henry Cutler, esq. He was a lineal descendant of Mary, youngest daughter of King Henry the Seventh, Queen Dowager of France, who married Charles Brandon, Duke of Suffolk.

— Murdered, whilst walking on his own grounds at Rossbercon, near New Ross, aged 72, Lundy Foot, esq. He was a barrister, and son of Alderman Lundy Foot, whose snuff is so celebrated in all parts of the world. A desperate attempt was made to assassinate him about 18 months ago, when he was wounded by several balls, and lost one of his eyes.

— On-board the President flagship, in Carlisle Bay, Dominica, his Excellency sir Charles March Schomberg, C.B., K.C.H., K.T.S., Capt. R.N. and Lieut.-Governor of that island.

— At Nonesuch House, near Devizes, aged 65, James Norris, esq. He was the youngest son, and the survivor of five sons and six daughters, of the late William Norris, esq. of the same place. Having received a good education, he was in his early years studious, and inclined to scientific pursuits, and was eminently skilled in natural history and botany. Handsome in person and elegant in manners, he evinced also a highly-cultivated mind, which seemed to promise in early life, eminence in society, and that he would rise to be an ornament to the age in which he lived; but he shrunk from social intercourse. As he advanced in years, by gradually giving way to a natural shyness and indulging in an indolent apathy, he grew into a most eccentric character. Being the survivor of his family, he became possessed of very considerable landed property, which had descended from a line of respectable ancestors, and also personal property to a large amount. Yet he suffered his indolence to surmount his love of wealth; and permitted his rents to remain in his steward's hands for a long course of years, unaccounted for

and unclaimed, and finally he lost a large sum by the failure of his steward. His dividends accumulated in the same manner with his banker, unnoticed, and himself unconscious of their amount. The rents of some property near his residence sufficed for the expenses of his small household, and of these he was penuriously careful. From the same disposition he declined shaving for many years, and suffered his beard to grow to a most venerable length; he seldom changed his linen, or renewed any part of his apparel; it was worn as long as it would possibly serve. He led a secluded life, seldom rising before the middle of the day, and latterly not until the evening; taking his principal meal and walk towards midnight, and retiring to rest as the morn approached; he was seldom seen by any one but his servants, declining all intercourse, even with his neighbours, and when he had occasion to communicate with any one, often speaking from behind a door or a screen.

4. At Dunmore-house, Bradninch, aged 63, the hon. Levison Granville Keith Murray, late of the Madras civil service, brother to the right hon. the earl of Dunmore.

6. At Southampton, in her 50th year, the right hon. Anne Countess of Mountnorris, sister to the Earl of Devon.

7. In his 80th year, John Fletcher, esq., for more than half a century proprietor of the *Chester Chronicle*, and twice mayor of Chester.

— At Quorndon Hall, Edward Farnham, esq., the representative of one of the oldest families in the county of Leicester.

8. At Woodmans, aged 75, Robert Haldane Bradshaw, esq. In 1804 he was elected M.P. for Brackley, being a trustee of the duke of Bridgewater's estates, and he sat for that borough until its disfranchisement in 1832, being associated from Feb. 1825 with his son, James Bradshaw, esq., captain R.N.

10. At Stourmouth, Carr Kulmer, esq., aged 100 years and ten days.

11. In Upper Grosvenor-street, in his 48th year, John Bastard, esq., of Sharnham, co. Devon, captain R.N. and late M.P. for Dartmouth, and alderman of that town.

— In Russell-square, in his 64th year, Sir William Elias Taunton, of Freeland Lodge, Oxfordshire, a Puisne Justice of the Court of King's Bench,

DEATHS.—JAN.

and Recorder of Oxford. He was the eldest son of the late Sir William Elias Taunton, for many years town-clerk of that city; was educated at Westminster school, and afterwards became a student of Christ Church. In 1793 he gained the Chancellor's Prize for the English essay, the subject was "Popularity;" he took the degree of M.A. Jan. 14th, 1796; succeeded Mr. Abbott, afterwards Lord Colchester, as Recorder of Oxford, in 1806; and was appointed one of the Judges of the Court of King's Bench in Michaelmas Term, 1830. He published "Remarks upon the conduct of the respective Governments of France and Great Britain in the late Negotiation for Peace, 1797," 8vo. "The Answer to a letter written by Alexander Cooke, of Studley, to the proprietors of the Common of Atmoor, 1800, 8vo."

14. In his 40th year, the most rev. Thomas Kelly, Catholic Primate of all Ireland, of malignant fever, caught on administering the rites of religion to a poor person in Drogheda.

— Aged 73, Anne, wife of Cornelius Ives, esq. of Bradden-house, sister to the Bishop of Durham.

— At Coombe-house, Frances Anne, widow of the right hon. Michael Angelo Taylor.

16. At Port Eliot, aged 33, Lady Susan-Caroline, wife of Col. the hon. H. B. Lygon, M.P. for West Worcester-shire; second daughter of the Earl of St. Germain's.

17. In Sussex-place, aged 31, the hon. Ellen-Mary, wife of Capt. E. C. Fletcher, 1st Life Guards, youngest daughter of the first Lord Teignmouth. She was married Sept. 8, 1830.

18. At Shrewsbury, Frederick William Smith, second son of Anker Smith, the eminent engraver. His merits as a sculptor were considerable. In male figures, such as his Ajax, he united natural action with great anatomical knowledge; and his female figures were remarkable for their unconstrained elegance of posture, the round softness of their limbs, and their perfect delicacy and truth of expression. By his groupe of Hæmon and Antigone, he gained the gold medal of the Royal Academy, and raised expectations which were realized in his beautiful groupe from the Deluge, of a Mother and Child, his Ajax, and other creations of the same kind. He failed in obtaining

the prize on which he had set his heart—namely, the one which entitles the winner to study three years in Rome. Of his busts, those of Chantrey, Brunel, and Allan Cunningham are the best.

18. On the Continent, aged 63, the right hon. Thomas Charles Colyear, fourth earl of Portmore. The family, of which he was the last male member, was a branch of the Robertsons of Strowan in Perthshire, who took the name of Colyear whilst resident in Holland.

21. At Kinmel Park, Denbighshire, the right hon. Charlotte-Margaret Lady Dinorben. She was a dau. of Ralph W. Grey, esq., of Backworth, Northumberland.

25. At North Ottrington, aged 101, Mrs. Anne Lambert.

— At Stockwell-green, aged 69, Lieut.-Col. Hugh Sutherland.

26. At Brighton, aged 60, Sir Thomas Slingsby, of Scriven Park, Yorkshire, the ninth baronet (of Nova Scotia, 1640).

— At Bushey, aged 64, George Jackson, esq. late of the Six Clerks Office in Chancery.

27. At Bath, in his 70th year, Rich. Saumarez, esq., F.R.S. & S.A., younger brother to Lord de Saumarez.

29. At Leamington, the right hon. Frances, countess of Fingal.

— Aged 60, Col. John Vere Fletcher Barclay, late of the 56th regt., son of the late Gen. Barclay.

31. At Tilgate house, Mr. William Jolliffe, second son of W. Jolliffe, esq., the member for Petersfield, and nephew to the late Mr. Jolliffe, of Ammerdown Park in Somersetshire.

Lately.—Dennis M'Kinley, of Sheans, near Ballycastle, on his 117th birth-day.

FEBRUARY.

3. At Alveston, aged 66, the hon. Louisa Barnard, sister to Lord Wiltoughby de Broke.

6. At Earl's court, Brompton, aged 52, the hon. Dame Georgiana Ponsonby, widow of Major-Gen. the hon. Sir Wm. Ponsonby, K.C.B., and sister to Lord Southampton.

8. At Paris, aged 57, M. Dupuytren, the eloquent professor of surgery at the

DEATHS.—FEB.

Hôtel Dieu. Guillaume Dupuytren was born at Pierre-Buffère, in the department of La Haute Vienne, on the 5th October, 1778. His parents possessed but very slender means, and never intended to have sent him to Paris; but while still a child, an officer in a regiment of cavalry, quartered in the town, was struck by his physiognomy, and offered to take him to the capital. The proposal was accepted, and at twelve years of age, in the year 1790, he commenced his career, and was shortly introduced to M. Thouret, a celebrated physician, who thoroughly appreciated his abilities, and conceived a great affection for him. Dupuytren was admitted a surgeon of the second class on the 26th Fructidor of the year 10; Doctor in 1803; Assistant-Surgeon-in-Chief in 1808; and in 1812 he obtained, in a contest with a host of talented competitors, the chair of the Professor of Surgery. In 1815 he was appointed Surgeon-in-Chief of the Hôtel Dieu, and in 1818, a member of the Institute. M. Dupuytren's works are numerous on anatomy, physiology, and pathology. He was first attacked in November, 1833, by a slight fit of apoplexy, which caused a difficulty in expressing himself, and induced his numerous friends to urge him to abandon his labours, and seek a renewal of health in Italy. He accordingly quitted France for Rome and Naples. In March, 1834, he returned to Paris, apparently recovered, when he immediately renewed his lectures at the Hôtel Dieu; but he was shortly after attacked with pleurisy. In July 1834 he resolved to try sea bathing, but at the end of a month he returned to Paris worse than he set out. The disease had made so decided a progress that it was no longer possible to be deceived in its character; and, whilst every means were employed to obtain relief, cure was never dreamt of. To the last moment he gave professional advice, and on the evening preceding his death, he caused his journal to be read to him, as was his custom. M. Dupuytren left his daughter, Mad. de Beaumont, a fortune of nearly 7,000,000 of francs, 200,000 francs to found a professorship of medico-chirurgical pathology, and 300,000 francs for a house of retirement for twelve superannuated medical men.

10. At Bossall, the right hon. Louisa-Maria Lady Macdonald.

12. At Carr Hall, near Blackburn, in his 80th year, Thomas Clayton, esq. He was born on the 16th of May, 1775, was fifty-eight years in the Commission of the Peace, and was at the time of his death, the father of the magistracy of the county Palatine of Lancaster.

— At Cobham hall, Kent, aged 40, the right hon. Edward Bligh, fifth earl of Darnley. On the 4th of February he was handling an axe, whilst talking to some labourers in his park, when unwarily letting it fall on his foot, it cut off one of his toes, and nearly severed another. After some days, tetanus came on, and the medical aid of Sir B. Brodie and Dr. Farr was summoned in vain.

13. At Haverholm Priory, aged 43, the right hon. Georgiana Charlotte, Countess of Winchilsea and Nottingham.

— At Worthing, aged upwards of 80, lieut.-general Sir Richard Jones, K.C.B. of the Bombay establishment. He commanded, as major-general, a division of lord Lake's army in Guzerat, in the year 1804; and received the thanks of his lordship, and of the governor in council in January following.

14. In Edward-street, Portman-sq., aged 96, Catherine, widow of the hon. general Simon Fraser, eldest son of the last lord Lovat.

— At his mansion, South Place, Knightsbridge, aged 77, the right hon. Francis Bosset, lord de Dunstanville.

— In Grosvenor-sq., the hon. Lucy Manners, of Bloxhome Hall, Lincolnshire.

15. At Alresford, Hampshire, Henry Hunt, esq. late M.P. for Preston. Mr. Hunt was born at Widdington Farm in the parish of Uphaven, Wiltshire. For many years he regularly attended Devizes market, seldom, if ever, missing a market-day. After his father's death he was elected chairman of the table in the principle dining-room of the farmers at the Bear inn; the daughter of the landlord of which inn, Miss Halcomb, he married. Though fond of pleasure, no man attended more strictly to his farming business, and no farms in the kingdom were managed better, or in higher condition than his. He had also the best flock of Southdown sheep in the county, the wool of which sold for the very highest prices. In the year 1801, when the apprehension of an invasion was so great, that the Lord

DEATHS.—FEB.

Lieutenant of the county caused letters to be written to the churchwardens, requiring from every parish a return of all moveable property, live and dead stock, &c., in Mr. Hunt's schedule were enumerated—wheat, 1,600 sacks; barley, 1,500 quarters; oats, 400 quarters; hay, 250 tons; cart horses, 30, value from 30 to 70 guineas each; working oxen, 10; cows, 20; sheep, 4,200, &c., altogether valued at upwards of 20,000*l.*; the whole of which he voluntarily tendered to the Government, to be at their disposal in case of an invasion. He also engaged to enter himself and three servants, completely equipped, and mounted upon valuable hunters, as volunteers, into the regiment of horse that should make the first charge upon the enemy. This liberal and patriotic offer was talked of all over this country; and he received the thanks of the lord lieutenant. When he was a member of the Yeomanry Cavalry, in consequence of some misunderstanding, he received a letter from Lord Bruce saying—"that his services were no longer required in the Marlborough troop, and requested that he would return his sword and pistols by the bearer." Hunt replied that he was astonished at the communication—that he would attend on the next field-day for an explanation, and that he should not fail to bring his arms with him, not recollecting an instance of his having failed to perform the duty of a soldier. On the next field-day, he accordingly fell into the ranks. The serjeant called over the roll-call; and the moment Hunt's name was omitted in the regular order, he put spurs to his horse, and rushed furiously up to the serjeant, of whom he sternly demanded his authority for passing over his name. The serjeant said it was done by order of lord Bruce. Hunt then went up to lord Bruce, and demanded satisfaction. For this offence, Hunt was indicted in the Court of King's Bench, found guilty, and sentenced to pay a fine of 100*l.* and to be imprisoned for six weeks. In prison he met with Waddington and some other radicals, to which may be attributed his subsequent political sentiments. It was in Bristol, where he was following the trade of a brewer, that he made his debut as a candidate for parliamentary honours. In June 1812, a vacancy having occurred in the representation of that town, the candidates proposed were R. H. Davis, esq., Mr.

Hunt, and Mr. Cobbett. The poll was kept open for fourteen days at an enormous expense to Mr. Davis. Serious riots took place, and the city was for a time at the mercy of a lawless mob. The numbers polled were, for Mr. Davis 2,142, Mr. Hunt 235, Mr. Cobbett 0. Parliament being dissolved in the following October, Mr. Hunt again offered himself in opposition to Mr. Davis, Mr. Protheroe, and Sir Samuel Romilly, and he was again beaten by a large majority, Mr. Davis and Mr. Protheroe being the Members returned. They were petitioned against by Mr. Hunt, but without success. Mr. Hunt twice contested the county of Somerset, without success; and also made several fruitless attempts to interest the electors of Westminster in his favour. His exhibitions at Manchester and Spa Fields, and his imprisonment in 1820, are notorious. During the excitement of the Reform Bill in 1830, he defeated the present Lord Stanley at Preston, and entered the House of Commons. He was re-elected in 1831; but in the following year, the Derby interest resumed its sway at Preston. Mr. Hunt had left London, on a journey of business to the West of England, where he had considerable connexion for the sale of blacking and annato, or cheese colouring, and was in the act of stepping from his phaeton, when he was seized with a violent fit of paralysis, which proved fatal. His remains were removed to colonel Vince's vault, in the church at Parham. Upon the outer coffin, upon a silver plate, were the words:—

HENRY HUNT, Esq.

Late M.P. for Preston,
departed this life on the 13th day of February,
1835, in the 62nd year of his age.

16. Aged 72, John Broadly Wilson, esq. of Clapham, Treasurer of the Baptist Missionary Society, and of the Religious Tract Society, and a munificent benefactor to both those institutions.

— At Bansha Glebe, aged 101, the widow of sir Thomas Blackhall, knt., of the City of Dublin.

— At Rasheen, parish of Ballinakil, co. Sligo, the widow Walk, in her 119th year, which she entered the day preceding her death. About two years ago she cut four teeth!

21. Aged 74, the right hon. and rev. John Lumley Saville, seventh earl of Scarborough. While hunting near Doncaster, he fell from his horse, and

DEATHS.—FEB.

was so severely injured, that he died almost immediately.

22. In Queen Ann-st. West, aged 62, the hon. Juliana Curzon, dau. of the late and sister of the present lord Scarsdale.

23. At Bristol, Mary Worton, a native of Birmingham, who attained her 106th year on the 31st of May preceding.

24. At Bitton, near Teignmouth, aged 78, William Mackworth Praed, esq., serjeant-at-law, late chairman of the Audit Office, Somerset-house, from which he retired some years ago upon a pension of 1,000*l*.

25. In Dover-street, Piccadilly, aged 70, sir Charles Mill, the tenth baronet (1619), of Berry-house, near Marchwood, Hants.

26. At Brighton, aged 60, sir Thomas Slingsby, of Scriven-park, Yorkshire, the ninth baronet (of Nova Scotia, 1640).

27. At Perth, Mrs. Robertson or Clarke, at the advanced age of 103. One of her sisters lived to see her 93rd year, and another reached the extraordinary age of 107.

28. In Portman-square, aged 77, the right hon. and rev. William Nelson, D.D., first earl Nelson and viscount Merton, of Trafalgar, and of Merton, co. Surrey. He was the elder brother of the hero of the Nile, and Trafalgar. He was succeeded in the title, pursuant to the patent, by his nephew Thomas Bolton, jun. esq., son of his elder sister Susannah.

Lately. In South-st. aged 86, Dame Mary Affleck. She was first married to Rich. Vassall, esq. of Jamaica, by whom she had an only daughter, Elizabeth, the present Lady Holland; and secondly, to sir Gilbert Affleck, bart. who died without issue in 1808.

— In the south of France, Henriette Louise Grimaldi, marchioness of Cannes.

— At the Regent's-park, aged 82, Frances, widow of gen. sir H. W. Dalrymple, bart.

MARCH.

2. At the Spa, near Gloucester, aged 80, Major George Ball, of the third division of Royal Marines, elder brother to the late Sir Alexander Ball, bart., governor of Malta.

3. At Vienna, aged 67, his Imperial Majesty Francis the Second, Emperor of Austria, King of Hungary, Bohemia, Lombardy, and Venice, and President of the German Confederation. On the 7th March his remains were removed to

the church of the Capuchins, and deposited in the Imperial vault. His younger brother, the Archduke Antony, Grand Master of the Teutonic Order, died on the 2nd of April, in his 56th year.

3. At the house of Lord Arden, her father, St. James's-place, the Hon. Caroline Frances, wife of sir W. Heathcote, bart. of Hursley Park, Hants.

4. In Holles-street, Cavendish-square, aged 62, Thomas Norris Aufrère, esq., He acquired a very affluent fortune in the civil service of the Hon. East India Company on the Madras Establishment.

6. At Bath, Col. Huddleston, an East India Director for many years.

11. In Upper Grosvenor-street, in his 48th year, John Bastard, esq. of Sharpham, co. Devon, Captain R.N. and late M.P. for Dartmouth, and an Alderman of that town.

— At Methven castle, the seat of his son-in-law, Robert Smythe, esq. aged 70, sir Alexander Muir Mackenzie, of Delvine, Bart. for many years Vice-Lieutenant of Perthshire.

12. In Store-street, aged 72, Mr. Alexander Pope, late of the theatres royal, Covent-garden and Drury-lane.

15. At Hinton Admiral, Hants, aged 82, sir George Ivison Tapps, bart.

17. In London, aged 25, Sir Peter Parker, the third Baronet, of Bassingbourn, Essex, (1783,) a Commander R.N.

— At Brighton, aged 83, Catherine, widow of sir George Cornewall, bart.

18. At his house in Catharine Place, Bath, aged 87, General Sir Henry Johnson, bart. G.C.B., colonel of the 5th foot, and Governor of Ross Castle.

— At Windmill Hill, near Battle, in his 73rd year, Edward Jeremiah Curteis, esq. a magistrate and deputy lieutenant for the counties of Kent and Sussex, and formerly M.P. for the latter county.

19. At his residence in Lansdowne Crescent, Bath, aged 67, Sir William Cockburn, the fifth Baronet, of Cockburn and Ryslaw, co. Berwick, (1628), a Lieut.-General, and D.C.L.

20. In his 38th year, at Venice, where he had for some time resided, Leopold Robert, the talented artist, whose picture of the "Venetian Fishermen" excited so much attention when exhibited shortly afterwards at Paris. Robert was the son of a poor watchmaker, at Chaux-le-Fonds, in Neu-

DEATHS.—MARCH.

chatel, and was at first apprenticed to an engraver. In 1812 he obtained the second premium for engraving at the Ecole des Beaux Arts; after which he travelled to Italy, where he took up the pencil, and applied himself to painting with great diligence, living in a very retired manner, and continuing for a long while quite unknown. It was not till latterly that he began to distinguish himself; but as soon as he did break through the cloud he displayed himself with more than ordinary *éclat*. Just, however, as a brilliant prospect was opening upon him, promising both fame and success, the unhappy man put a period to his own existence, leaving the motive for such a fatal catastrophe altogether inexplicable. He worked slowly with his own pencil, frequently effacing and repainting a considerable part of his pictures; yet, when completed, they presented no traces of painful labour and correction; on the contrary, were remarkable for beauty of colouring, to say nothing of their merit in regard to composition, expression, or sentiment.

20. At Bayham-terrace, Regent's-park, in his 40th year, Mr. Henry David Inglis. Mr. Inglis was a native of Scotland, the only son of a barrister; his maternal grandmother was the daughter of the celebrated Colonel Gardiner, who fell at the battle of Preston pans, and was herself the authoress of an heroic poem. The earlier part of Mr. Inglis's life was devoted to commercial pursuits; but an ardent love of literature, and an equally ardent desire to visit foreign countries, rendered him impatient of the trammels of business, and he resolved to indulge both propensities by visiting the continent and recording his observations. His first published work was "The Tales of Ardennes," which appeared with the *nom de guerre* of Derwent Conway. The success of this work soon induced him to publish "Solitary Walks through many Lands," which more than maintained the fame of the preceding. Next appeared his "Travels in Norway and Sweden;" which, as well as his "Tour through Switzerland, France, and the Pyrenees," appeared in "Constable's Miscellany." While these volumes were in the course of publication, Mr. Inglis was editor of a paper at Chesterfield; but he soon grew wearied of stationary

life, and, returning to the continent, visited the Tyrol and Spain. His travels in both countries were published; those through Spain ("Spain in 1830") were, deservedly, the most successful; and this induced the author to produce a novel, descriptive of Spanish life, entitled "The New Gil Blas." After his return from Spain, Mr. Inglis became editor of a paper in Jersey, which he gave up to make a tour through Ireland. The result was his "Ireland in 1834." After his return from Ireland, he began to prepare for publication his "Travels in the footsteps of Don Quixote," but was seized with a disease of the brain, which proved fatal.

23. At Bromley, John Pearce, esq., of his majesty's Customs.

25. In Bloomsbury-square, Philip Tattersall, esq., barrister-at-law, of the Middle Temple.

26. In Ely-place, aged 81, Sir C. Gordon, third son of the late C. Gordon, esq., of Abergildie, N.B.

— In Upper Gower-street, aged 77, the rev. William Agutter, formerly chaplain and secretary to the Asylum for Female Orphans. He was of Magdalen College, Oxford, M.A., 1784; and published various sermons.

30. At Dorchester, on his road from Torquay to London, aged 76, Richard Sharp, esq., of Park-lane, and Mickleham, F.R.S. and S.A.; a gentleman well-known in the literary world as "Conversation Sharp." Though a great part of his life was spent in the superintendence of extensive commercial concerns, he made such good use of his leisure, as to merit the title of a man of letters. His "Letters and Essays in Prose and Verse," recently published, show that, if he had more exclusively devoted himself to study and composition, he might have taken a high station among our moral philosophers and moral poets. His taste and judgment were so correct, that sir James Mackintosh, who was well acquainted with him, said that Mr. Sharp was the best critic he had ever known. At the general election of 1806, he was returned to parliament for Castle Rising, for which he sat till 1812, and was afterwards chosen for Portarlington, for which borough he sat until 1820. Mr. Sharp left behind him upwards of 250,000*l*.

— At the Hotwells, Bristol, in his 65th year, Thomas Pottenger Westcote,

DEATHS.—APRIL.

barrister, esq. and late attorney-gen. for Newfoundland.

31. At Tooting-common, Surrey, in his 58th year, Matthew Lumsden, esq., LL.D., late professor of Persian and Arabic in the College of Fort William, Calcutta.

Lately.—In Portugal street, Grosvenor-square, aged 84, Daniel Hailes, esq. He was appointed secretary of embassy to France 1784, envoy extraordinary at Warsaw, 1788, at Copenhagen, 1791, at Stockholm, 1795, and retired from the diplomatic service in 1801, from which period he enjoyed a pension of 1,000*l*.

— At Paris, aged 83, M. Pigault Le Brun, author of the history of “Jerome;” “Monsieur Botte;” “Mon Oncle Thomas;” “The Barons de Felsheim;” “Nous les sommes, tous,” and many other novels.

— At Teignmouth, aged 50, the hon. Emma Mary, wife of adm. sir L. W. Halsted, K.C.B., and sister to viscount Exmouth.

APRIL.

3. In Berkeley-square, Lady Julian-Tomlinson Hobhouse, wife of the Right Hon. Sir John Hobhouse, and sister to the Marquis of Tweeddale.

7. In Cavendish-square, Sir George Tuthill, Knt., M.D., fellow of the College of Physicians. He was of Caius College, Cambridge; in 1794 was fifth Wrangler; and was subsequently selected to present a University address to the King.

— At his country seat, Tegel, near Berlin, aged 67, Baron William Von Humboldt, minister of state to the King of Prussia. The following particulars of his last moments are from a letter, written by his brother, Baron Alexander Von Humboldt, the celebrated traveller, to M. Arago. “His weakness had been much increased for several weeks previous, and incessant trembling was manifested in every limb; still his mind preserved all its energy, and he never ceased his labours. He leaves two works nearly finished; the one on those languages of the Indian Archipelago which proceeded from the Sanscrit, and the other on the origin and philosophy of languages in general; both of which will be published. My brother has left all the MSS. of these works, and his precious collection of books, to the public library.

— At Compton-place, in her 75th

year, the Right Hon. Elizabeth Countess dowager of Burlington.

9. In Upper Brook-st., aged 66, Lady Isabella Thynne, lady of the bedchamber to the Duchess of Gloucester; sister to the Marquis of Bath, Lord Carteret, the late Countesses of Aylesford and Chesterfield, &c. She was the fourth daughter of Thomas first marquis of Bath, by Lady Eliz. Cavendish Bentinck.

10. In Curzon-street, the dow. Lady Rycroft.

14. At Dumfries, aged 34, Captain Charles James Hope Johnstone, R.N., brother to the member for Dumfriesshire. He was the third son of the late vice-admiral Sir Wm. Johnstone Hope, G.C.B. by Lady Ann Hope Johnstone, eldest daughter of James, third earl of Hopetoun.

15. Charles Edward Dodd, esq. of the Inner Temple, barrister-at-law, and one of the lecturers at the Law Institution. He was the author of “An Autumn on the Rhine.”

16. At Trinidad, aged 50, Lieutenant-Colonel Henry Hardy, lieutenant-colonel of the 19th Foot, and the officer in command of his Majesty’s troops serving in that island.

— In Bryanston-sq., aged 64, John Elphinston, esq., formerly member of the council at Bombay.

17. At the advanced age of more than 80 years, Ivan Petrovitch Martos, formerly director of the Academy of Fine Arts, St. Petersburg. The colossal group in bronze of Minin and Pozharsky, at Moscow; his monument of the Emperor Alexander at Taganrog; of the Duke of Richelieu, at Odessa; of Lomonosov, at Archangel; and of Potemkin, at Cherson, are among his principal works.

17. Mr. Wm. Henry Ireland, of Sussex-pl., St. George’s-fields, well known as “Shakspeare Ireland.”

— At Dalmahoy, near Edinburgh, aged 28, John Thomas Hope, esq., colonel of the Fifeshire Militia, eldest son of General the hon. Sir Alexander Hope, G.C.B.

22. In Newman-street, aged 51, Walter J. Baldwin, esq., brother to Dr. Baldwin, M.P. for Cork. He had long resided in London, where he devoted himself to literature and politics.

23. At the house of her daughter, Mrs. Nash, Hyde-house, Edmonton, Mrs. Slater, in her 102d year.

DEATHS.—APRIL.

26. At his house, York Gate, Regent's Park, aged 58, Captain Henry Kater, F.R.S. He was born at Bristol, April 16, 1777; his father was of a German family; his mother was the daughter of an eminent architect: both were distinguished for their scientific attainments, and united in inspiring him, from his earliest years, with a taste for physical investigations. After some time, his father, who designed Henry for the profession of the law, began to discourage his exclusive devotion to abstract science, and he parted from mathematics as reluctantly as Blackstone from his poetry. During the two years that Mr. Kater was in a pleader's office, he acquired a considerable portion of legal knowledge; but the death of his father, in 1794, permitting him to resume his favourite studies, he bade adieu to the law, and obtained a commission in the 12th regiment of Foot, then stationed in India. During the following year he was engaged in the trigonometrical survey of India, under Colonel Lambton, and contributed greatly to the success of that stupendous undertaking. About the same time he constructed a peculiarly sensible hygrometer, and published a description of it in the "Asiatic Researches." His unremitted study during seven years in a hot climate greatly injured his constitution, and was the cause of the ill state of health under which he suffered to the close of his life. After his return to England, he qualified himself to serve on the general staff. He went on half-pay in 1814, from which period his life was wholly devoted to science. His trigonometrical operations, his experiments for determining the length of a pendulum beating seconds, and his labours for constructing standards of weights and measures, are well known; they combined patient industry, minute observation, and mechanical skill, with high powers of reasoning. Most of the learned societies in Great Britain and on the continent, testified their sense of the value of Captain Kater's services, by enrolling him amongst their members. The Emperor of Russia employed him to construct standards for the weights and measures of his dominions, and was so pleased with the execution of them, that he presented him with the order of St. Anne, and a diamond snuff-box.

27. At Ilfracombe, in his 85th year,

James Bowen, Esq., a retired rear-admiral.

27. At Cheltenham, aged 62, Thomas Grey, esq.

— At Kirkby Mallory, aged 38, John Russell, esq., commander R.N.; husband to the Baroness de Clifford, and nephew to the Duke of Bedford. He married Sophia, daughter of the late Col. Coussmaker by the Hon. Catharine Southwell Clifford; and by her ladyship, who was declared Baroness de Clifford after her grandfather's death in 1833; he left issue.

29. In Clarges-street, aged 52, the Right Hon. Lady Mary Graves, sister to the Marquis of Anglesey.

Lately.—In the workhouse at Peterborough, aged 103 years, John Bates. His hair was a perfect jet black to the last, and he retained his sight so as to read without glasses.

MAY.

3. At Strawberry-hill Cottage, Twickenham, aged 58, John Bull, esq., of Abingdon-street, clerk of the journals of the House of Commons.

5. Mr. Henry Parke, architect. He was originally intended for the bar, and for some time studied under a special pleader. He afterwards chose architecture as his profession; and after having pursued his studies under Sir John Soane, subsequently went abroad to complete his studies in Italy and Sicily. After measuring and drawing the noblest monuments of ancient and modern times, he proceeded to Egypt, where he passed nine months with Messrs. Scoles and Catherwood, delineating every object most worthy attention, from the Delta to the Second Cataract. A drawing by him, exhibited some few years since at Somerset House, entitled an Egyptian Sepulchral Chamber, merited great praise.

6. At Piccadilly, the Viscountess de Tagoahy, widow of his excellency I. Paulo Bezerra, prime minister to John VI. king of Portugal. Her maiden name was Sills, and she was buried near others of her family in Camberwell churchyard.

— In Bryanston-st., aged 75, Lieut.-colonel John Bell, formerly of Madras Artillery.

— In Oxford-street, aged 78, Thomas Harding, esq., for many years of the Surrey Dispensary, and author of a late

DEATHS.—MAY:

publication entitled "A New View of Time."

6. At Paris, major-general sir James Campbell, K.C.B., K.C.H., K.T.S. Colonel of the 74th regiment.

— At Avenue-road, Regent's-park, aged 65, Rear-adm. John Mason Lewis.

At Penzance, J. Armstrong, esq., late major 5th Dragoon Guards.

7. At Weymouth, aged 80, lieutenant-general Peregrine Powell, of the Bengal establishment.

— Aged 87, Thomas Wood, esq., of Littleton, father of Col. Wood, of Littleton, M.P. for Breconshire, and grandfather to Capt. Wood, the candidate for Middlesex.

9. At Chelsea, aged 66, Mr. William Blanchard, the eminent comedian. He was a native of York, where he was brought up by an uncle, the printer of a newspaper, who apprenticed him to the same business. At the age of 17 he left home to join a company of comedians at Buxton, in Derbyshire, then under the management of Mr. Welsh. He made his *debut* under the assumed name of Bentley, in the part of Allen-a-Dale, in Robin Hood; and a favourable reception induced him to pursue his theatrical career. After a year or two he appeared in his proper name, and performed some of the most usual tragic characters—as Romeo, young Norval, Barnwell, &c. When he had attained the age of 20, he became a manager on his own account, and opened theatres at Penrith in Cumberland, Hexham in Northumberland, and Barnard Castle and Bishop's Auckland in Durham. After a few seasons he relinquished management, a poorer man than when he commenced. In 1793 he was engaged by Mr. Brunton, for the Norwich company; in which he had abundant opportunities for the display of his talents, which rendered him an established favourite throughout that circuit. His increasing reputation attracted the attention of the managers of Covent-garden, who at once engaged him for five years, commencing with the season of 1800. On the 1st of October he made his first appearance before a London audience, in the characters of Acres in the Rivals and Crack in the Turnpike Gate. His Fluellen, Menenius, Polonius, Pistol, Sir Andrew Aguecheek, Sir Hugh Evans, manifested great soundness of judgment and versatility of talent.

12. At his residence on Blackbeath,

in his 69th year, the hon. sir Arthur Kaye Legge, K.C.B., Admiral of the Blue; uncle to the earl of Dartmouth, elder brother to the late bishop of Oxford, and to lady Feversham.

13. At her house at Clapham, aged 94, Mrs. Elizabeth Cook, widow of the celebrated circumnavigator Capt. James Cook.

— At his seat, East Cowes, Isle of Wight, in his 83d year, John Nash, esq., one of the architects attached to the Board of Works. As a speculative builder, this gentleman amassed a large fortune; but as an architect, he did not achieve any thing that will confer upon him lasting reputation, although he certainly had frequent and first-rate opportunities of doing so, afforded him. Perhaps the least exceptionable of his designs is the Pavilion, at Brighton; the fancifulness of which prevents its being criticised according to any familiar standard. The new palace in St. James's-park, has certainly added nothing to his fame in any respect, for it is universally admitted to be a most signal monument of extravagance and meanness combined,—to be altogether a complete failure as a piece of architecture. Mr. Nash seems to have possessed neither grandeur in his general conceptions, nor any taste in his details, which look as if hurriedly sketched out, and never finished. He will be most favourably remembered, as the planner of Regent-street, and the Regent's-park, where he had recourse to the system originated by Wood, of Bath, of uniting several separate dwellings, into a single façade. The effect would have been better if these façades had been more limited in extent, so as to be more in proportion with the character appertaining to private houses. Owing to the pretension of the designs, their features look not only small, but insignificant.

14. At his seat, Cosgrave Priory, near Northampton, in his 75th year, sir Robert Moorsom, K.C.B., Admiral of the Blue.

15. In Bloomsbury-square, aged 67, George Pinckard, esq. M.D., physician to the Bloomsbury Dispensary. He was the author of "Notes on the West Indies," published in three octavo volumes, 1806.

— Lieutenant-general Sir Andrew Macdowall, K.C.B., of the East India Company's Madras establishment.

16. At Dublin, Mrs. F. D. Hemans.

DEATHS.—MAY.

Felicia Dorothea Brown was born at Liverpool, in Duke-street. Her father was a native of Ireland, her mother, a German lady—a Miss Wagner—but descended from, or connected with a Venetian family. When she was very young, her family removed from Liverpool to the neighbourhood of St. Asaph, in North Wales. She married at an early age—and her married life, after the birth of five sons, was clouded by separation from her husband. On the death of her mother, with whom she had resided, she broke up her establishment in Wales, and removed to Wavertree, in the neighbourhood of Liverpool—whence, after a residence of about three years, she again removed to Dublin,—her last resting place. From childhood, her thirst for knowledge was extreme, and her reading great and varied. Her first childish efforts were published when she was only thirteen. Her subsequent poems—"Wallace," "Dartmoor," "The Restoration of the Works of Art to Italy," and her "Dramatic Scenes," were written in the happiest period of her life, when her mind was rapidly developing itself, and its progress was aided by judicious and intelligent counsellors, among whom may be mentioned Bishop Heber. To the world in general her name began to be known by the publication of her "Welsh Medies," of her "Siege of Valencia," and the scattered lyrics which appeared in the *New Monthly Magazine*, then under the direction of Campbell. She had previously contributed a series of prose papers, on foreign literature, to *Constable's Edinburgh Magazine*, which, with little exception, are the only specimens of that style of writing ever attempted by her. To the "Siege of Valencia" succeeded rapidly, her "Forest Sanctuary," her "Records of Woman" (the most successful of her works), her "Songs of the Affections," her "National Lyrics and Songs for Music," her "Scenes and Hymns of Life," a tragedy, "the Vespers of Palermo," and the songs which she contributed to colonel Hodges' "Peninsular Melodies."

—At Hayfield, aged 104, Aaron Ashton. He was born in a cottage on the estate of Aspenshaw, and he recollected going to Manchester with his father, in 1745, to see the rebel army. At the age of 20 he enlisted, and was a soldier for 28 years; and at the battle of Bunker's-hill received a wound from the same shot

which wounded major Shuttleworth, of Hethersage. He continued to walk about, and enjoyed good health and all his faculties nearly to the last.

18. At Exeter, aged 72, John Neave, esq., second son of the late Sir Richard Neave, and brother to the present baronet. He was formerly judge at Tirhoot and chief judge of Benares, both in Bengal.

19. At Bath, aged 75, Major-general Brooke Young, R.A.

24. In Portland-place, aged 61, the Right Hon. Thomas Pakenham, earl of Longford, brother-in-law to the Duke of Wellington.

24. At Twickenham, Elizabeth, relict of the late Lord Henry Thomas Howard Molyneux Howard Deputy, Earl Marshal of England, and brother of Bernard Edward, present duke of Norfolk.

25. At Venn House, Milborne Port, in his 68th year, Sir William Coles Medlycott, bart.

— At Jamaica, the hon. George Cuthbert, president of the council of that island.

26. At his residence in the Place Vendome, Paris, in his 67th year, the right hon. William Courtenay, earl of Devon (1553,) third viscount Courtenay, of Powderham castle, county Devon (1762,) and a baronet (1644). Sir Edward was the son and heir of Henry marquess of Exeter, whose honours were forfeited by attainder; and the title remained unclaimed until the year 1830, when viscount Courtenay urged his right to the honour as collateral heir male of the last earl, he being heir male of the body of sir Philip Courtenay, of Powderham, a younger brother of sir Edward Courtenay. Upon establishing his pedigree, and proving that all the elder male branches of the Courtenay family were extinct, the House of Lords, on the 14th March, 1831, admitted lord Courtenay's right to the earldom of Devon, under the patent of 1553.

— At the residence of his brother-in-law, Bruntfield-house, Scotland, sir John Dalrymple, the fifth baronet, of North Berwick, county of Haddington, (1697), a major-general in the army.

27. At the rectory, Bangor, aged 75, the Rev. Maurice Wynne, LL.D. of Llwyn, co. Denbigh, the last male descendant of the house of Gwydir.

28. At Cowes, the right hon. Mary dowager Lady Kirkcubright, wife of Robert Davis, esq. R.N.

DEATHS.—JUNE.

28. At the house of his sister, Mrs. Henry Wyndham, near Ripley, aged 34, Lieut.-colonel Charles Henry Somerset, lieut.-colonel of the 1st Dragoons, nephew to the Duke of Beaufort.

29. At Cambridge, aged 81, Mrs. Ann Pearce, widow of the very rev. Dr. William Pearce, dean of Ely.

31. At Newbridge, in his 22d year, the hon. Joshua Vanneck, lieutenant 1st Dragoons, eldest son of Lord Huntingfield.

— In Blandford-square, aged 79, William Smith, esq., for forty-six years a member of the House of Commons, and the leading advocate of the Dissenting interest. He was the only son of Samuel Smith, esq., of Clapham-common; and first entered parliament at the general election in 1784 as M.P. for Sudbury. In 1790 he was chosen for Camelford, and in 1796 again for Sudbury. In 1802 he presented himself as a candidate for Norwich; and, though opposed by gentlemen of great wealth and interest in the county, was returned. In 1806 he was defeated by John Patteson, esq., but in the following year he was re-elected with Mr. Patteson, instead of Mr. Fellowes; and he subsequently retained his seat until the dissolution in 1830.

— In Edward-street, Portman-sq., aged 81, the hon. Bartholomew Bouverie, a metropolitan commissioner of lunacy, &c. &c.; uncle to the earl of Radnor.

JUNE.

2. In Addison-road, Kensington, aged 40, the Hon. George Barrington, captain, R.N.; cursitor and steward of the Halmotes, of the county palatine of Durham; next brother to Earl Viscount Barrington, and son-in-law to Earl Grey.

4. In his 76th year, at Dolydd-y-cau, Talyllyn, near Dolgelly, Dr. Owen Pughe, the Welsh lexicographer. He published an elaborate Welsh and English Dictionary, with an excellent Grammar; and was also the author of the "Cambrian Biography." He translated Milton's "Paradise Lost" into the ancient British language, and he had been for years preparing for the press "The Ancient Romances of Britain." Dr. Pughe assisted Owen

Jones in collecting and publishing the "Archæology of Wales," in three volumes, quarto; and he was conductor of the "Cambrian Register."

5. At his seat, Aston Reynold Hall, Shropshire, aged 68, Sir Andrew Corbet, bart., of Moreton Corbet, in the same county, and of Linslade, Bucks.

6. In the Wandsworth-road, aged 75, James Denison, esq., founder of the Commercial Travellers' Society.

7. At Tunbridge-wells, major-general Francis Hepburn, C.B.

9. At Cornwall-terrace, Regent's-park, David Carruthers, esq., M.P. for Hull. He was returned for the first time at the late election, on the conservative interest, by a majority of 466 over M. D. Hill, esq.

10. At his seat, Wollaton House, co. Nottingham, aged 74, the Right Hon. Henry Willoughby, sixth Lord Middleton.

11. In Lancaster-place, aged 68, Joseph Todd, esq., late of Fore-street. He commenced business with small means as a haberdasher and silk mercer in the year 1793. By indefatigable perseverance he was enabled to retire from business in 1822, with the princely fortune of nearly one million sterling.

11. At Woolwich, aged 59, col. sir Augustus S. Frazer, K.C.B., director of the Royal Laboratory.

11. Aged 30, of rapid consumption, the rev. George Gray Stuart, vicar of Milbourn St. Andrew with Dewlish, Dorset, and domestic chaplain to lord Gray, nephew to the earl of Moray, T.K.

12. In Fleet-street, aged 81, Edward Troughton, esq., F.R.S. Lond. and Edin. F.R.A.S. &c., the eminent mathematical and astronomical instrument maker. Mr. Troughton was a native of Cumberland. At the age of seventeen he came to London, and was instructed by an elder brother in the rudiments of the art in which he afterwards so greatly excelled. About the year 1780, in conjunction with his brother, he settled in Fleet-street, and at that early period of his life laid the foundation of his future fame. His invention of a method by which the graduation of instruments of the largest class could be effected with a degree of ease and accuracy unattainable by any former means, and the construction of an engine (still in the establishment of his successor) for the division of those of smaller dimensions, added to

DEATHS.—JUNE.

the skill and care employed in their arrangement and execution, gave to his works a superiority that was early appreciated by those whose pursuits required such assistance. His method of original graduation was disclosed to the public through the medium of the Royal Society, in the year 1809, and the Copley medal was awarded to him by that learned body, of which he was shortly afterwards elected a fellow. His celebrity was not confined to his native country; for about the year 1830 the gold medal of science was presented to him by its illustrious patron the King of Denmark.

14. At his residence, near Raheny, the hon. Judge Vandeleur, third justice of the court of King's Bench. He was called to the bar in Trinity term, 1790.

14. At Croydon, aged 49, the hon. George Anderson Pelham, only brother of Lord Yarborough.

15. At the house of his brother, the hon. and rev. R. B. Stopford, in the Cloisters, Windsor Castle, in the 70th year of his age, the Right Hon. James George Stopford, third earl of Courtown.

15. Aged 83, Edmund Griffith, esq., many years magistrate at the Mary-le-bone police-office.

16. After a lingering illness, aged 60, her grace Caroline-Elizabeth, duchess of Argyll. She was the third daughter of George, fourth earl of Jersey. Was married in 1795 to the present marquis of Anglesey, which marriage was dissolved by the Scotch courts in 1810, and secondly in the latter year to George William, duke of Argyll.

17. At Brighton, in his 68th year, Sir Francis Laforey, bart. (1789), K.C.B. admiral of the blue.

17. At Bassadore, aged 40, captain Thomas Elwin, E. I. company's service, commodore at the Persian Gulf. He was for some years engaged in the survey of the Red Sea, under the orders of government. He completed his portion of it from "Juddah to the Straits" in a very masterly manner, and received on more than one occasion the thanks of the authorities.

18. At Normandy farm, in the parish of Ash, near Farnham, Surrey, aged 73, William Cobbett, esq., M.P. for Oldham. This extraordinary man was the third of the four sons of a farmer and publican at Farnham, who occupied a house, still standing, beside the river

Wey, which has been known for eighty years past as "The Jolly Farmer." In an autobiographical sketch, which he published when in America, he says, "Towards the autumn of 1782, I went to visit a relative living in the neighbourhood of Portsmouth. From the top of Portsdown, I, for the first time, beheld the sea; and no sooner did I behold it, than I wished to be a sailor." The next day he went on board the Pegasus man-of-war, but both the captain and port-admiral, suspecting him to be a run-away, declined his services, and persuaded him to return home, where he remained till the following spring, when he took a more effectual flight. It was on the 6th of May, 1783, that, being prepared to go to Guildford fair, he was suddenly tempted to mount a London coach, and arrived at Ludgate-hill, with about half-a-crown in his pocket. During the journey, he fortunately made acquaintance with a hop-merchant, who he found had dealt with his father. This gentleman kindly took him to his house, and, after having in vain endeavoured to persuade him to return home, procured him a situation as copying-clerk to Mr. Holland, of Gray's-inn, where he remained for nine months closely confined to the desk, except on Sundays. This dull and incessant labour to a mind which must have ever been active and comprehensive, became at last irksome to him, and he quitted London for Chatham, where he enlisted. In doing so he proposed to join the Marines, still retaining his partiality for the sea; but, by some misunderstanding, he found himself entered into a regiment, the service companies of which were in Nova Scotia. During the year he remained at Chatham, he improved his education in all its branches. "I subscribed," says he, "to a circulating library at Brompton, the greatest part of the books in which I read more than once over. Writing a fair hand procured me the honour of being copyist to general Debeig, the commandant of the garrison. Being totally ignorant of the rules of grammar, I necessarily made mistakes; the colonel saw my deficiency, and strongly recommended study. I procured me a Lowth's Grammar, and applied myself to the study of it with unceasing assiduity. The pains I took cannot be described: I wrote the whole out two or three times; I got it

DEATHS.—JUNE.

by heart; repeated it every morning and every evening; and, when on guard, I imposed on myself the task of saying it all over once every time I was posted sentinel. To this exercise of my memory I ascribe the retentiveness of which I have since found it capable; and to the success with which it was attended I ascribe the perseverance that has led to the acquirement of the little learning of which I am master." He was soon raised to the rank of corporal, and at length sailed from Gravesend. He staid but a few weeks in Nova Scotia, being ordered to New Brunswick, where the regiment remained till September, 1791, and was then relieved and sent home. Shortly after his landing at Portsmouth, he obtained his discharge, receiving at the same time a testimonial from the commanding officer, Lord Edward Fitzgerald. Shortly after his arrival in England, he married a daughter of a serjeant-major of artillery, whom he first met in New Brunswick, but had returned home several years before him. At the same period he brought forward some charges against certain officers for corruption and misconduct, and demanded a court-martial upon them; but, in this procedure, he met with no encouragement. "I went to France in March, 1792, and continued there till the beginning of September following, the six happiest months of my life. I met every where with civility, and even hospitality, in a degree that I never had been accustomed to. I did intend to stay in France till the spring of 1793, as well to perfect myself in the language, as to pass the winter at Paris. I had actually hired a coach to go thither, and was even on the way, when I heard at Abbeville that the king was dethroned, and his guards murdered. This intelligence made me turn off towards Havre-de-Grace, whence I embarked for America." He landed at New York, in October, 1792. It was in America that Mr. Cobbett first distinguished himself by his pen. Having proceeded from New York to Philadelphia, he there opened a bookseller's-shop, and, commencing a periodical paper or succession of pamphlets, under the title of "Peter Porcupine," at once made a display of those extraordinary powers of style and expression which have rendered his name so celebrated. England was then the chief point of attack with the French or democratic

VOL. LXXVII.

party in America, and Cobbett, with the spirit of contradiction by which he ever delighted to distinguish himself, stood boldly forward as the champion of his country. A Dr. Rush brought an action against him for libel, and obtained 5,000 dollars damages, which disgusted him with America so completely, that he quitted it, and came to England in 1800. In 1801 he settled in London, and established a morning paper, under the title of "The Porcupine," in which he warmly supported Mr. Pitt. That paper, however, soon failed, and he afterwards set up "The Register," which has been continued to the present time. Cobbett commenced his career as a public writer in England under very favourable circumstances. He was powerfully patronised by the ministry. Mr. Wyndham even went so far in the House of Commons as to declare that a statue of gold ought to be erected to him. His letters on the subject of the "Treaty of Amiens" produced a great sensation both here and on the Continent. Of this production it was said by the celebrated Swiss historian Muller, that it was more eloquent than any thing that had appeared since the days of Demosthenes. The sale of his writings was at that time so extensive and profitable as to enable him to purchase a valuable estate at Botley in Hampshire. In 1805, from a hearty church and king man, Cobbett became as eager a Radical. It is generally understood that his personal feelings were offended by Pitt's declining to be introduced to him. From that time he was, for some years, a grievous thorn in the side of the ministry. At length, in 1810, an opportunity appeared to have arrived for putting him to silence. His remarks on some military flogging at Ely (where some local militia men were punished under the surveillance of a German regiment), provoked a government prosecution, upon which he was sentenced to two years' imprisonment in Newgate, and to pay a fine of 1,000*l*. The latter was paid by a subscription of his friends. During his confinement he continued to write with his wonted spirit and perseverance, one of the chief objects of his attack being the paper currency. In 1816 he changed his "Register" into a two-penny pamphlet, when the sale is said to have risen to the unprecedented number of 100,000. The passing of the

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DEATHS.—JUNE.

Six Acts, and the anticipated suspension of the Habeas Corpus Act, induced him again to go to America, whither he sailed in April, 1817. During his absence he parted with Botley. He still continued to publish his "Register" at intervals; and returned to England, in 1819, bringing with him the bones of the infidel Tom Paine. He then took a very active part in the cause of Queen Caroline. He also made some unsuccessful attempts as a parliamentary candidate at Coventry, and at Westminster. Renewing his attention to agriculture, he took a farm at Barnes Elms, in Surrey, where he attempted to grow several plants and trees indigenous to America, and to introduce Indian corn as a staple article of English produce. To further his views, he published a "Treatise on Cobbett's Corn;" printed a number of his "Register" on paper made from the husks, and established dépôts for the sale of its flour and bread. The project, however, failed; he resigned, after a few years, his farm at Barnes; and returned at last to the country from which he came, where he rented of Colonel Woodroffe the farm of Normandy, consisting of not more than 120 acres, about seven miles from Farnham. Besides the writings already mentioned, Cobbett published, in 1825, "The History of the Protestant Reformation in England and Ireland," which attained considerable popularity, and was translated into French and Italian, in consequence of its apparent bias to the papal system. In 1829 he published "Advice to Young Men and Women;" and, about the same time, delivered at several places, a course of lectures on political economy, by which he gained considerable profit and applause. His other works, besides mere political pamphlets, are "The Emigrant's Guide, in Ten Letters." "Cobbett's Poor Man's Friend." "Cottage Economy." "An English Grammar, in letters to his Son." "A Grammar to teach Frenchmen the English Language," which is the standard book in French schools. "A Translation of Marten's Law of Nations." "A Year's Residence in America." "Parliamentary History of England to 1803," in twelve volumes, and "Debates from 1803 to 1810," in sixteen volumes royal octavo. When to these are added Porcupine's works in the United States

from 1793 to 1801, in twelve volumes, and the "Political Register from 1802," a due estimate may be made of the extraordinary quantity of matter which he passed through the press. At length, in 1832, after the passing of the Reform Act, he was returned to parliament for the new borough of Oldham, for which he was re-chosen at the last election without opposition. In the House of Commons he was neither brilliant nor obtrusive; but he was occasionally heard with indulgence and attention. His last illness was of some duration. A great inclination to inflammation of the throat had caused him annoyance from time to time, for several years, and as he got older, it enfeebled him more. He was suffering from one of those attacks during the late spring, and when the marquis of Chandos brought on his motion for the repeal of the Malt-tax, he attempted to speak, but could not make his voice audible beyond the few members who sat around him. On the voting of supplies on the 15th and 18th of May, he exerted himself so much, and sat so late, that he laid himself up. He determined, nevertheless, to attend the House again on the evening of the marquis of Chandos's motion on Agricultural Distress on the 25th of May, and the exertion of speaking and remaining late to vote on that occasion, were too much for him. He went down to his farm early the next morning after this late debate, and did not again return. His body was interred on the 27th June in the same grave in Farnham churchyard, where lie the remains of his father and grandfather. The hearse was followed by four mourning coaches, and many private carriages. Mr. O'Connell joined the procession on the road. Mr. Cobbett left seven children.

24. In Nelson-square, aged 72, John Lloyd, esq. He left the following bequests:—Home Missionary Society, 4,000*l.*; London Missionary Society, 4,000*l.*; Religious Tract Society, 3,000*l.*; British and Foreign Bible Society, 3,000*l.*; Southwark Sunday Schools, 1,000*l.*; Surrey Benevolent Society, 1,000*l.*; London Hibernian Society, 500*l.*; Christ Church Sunday Schools, 500*l.*

28. At Hanwell, Middlesex, aged 27, Henry O'Brien, esq. He was a native of the county of Kerry, and was edu-

DEATHS.—JUNE.

cated at Trinity college, Dublin, where he took the degree of B.A. in 1831. Being stimulated by the prize offered by the Royal Irish Academy for a dissertation on the Round Towers of Ireland, he applied his studies to that subject, and produced an essay, which although it did not obtain the prize, was yet considered so elaborate and meritorious, that the society awarded him a small sum of money. Shortly after, he came to London, where he employed himself in arranging the publication of his essay; which, with various additions and many illustrative embellishments, he at length published in 1833, under the title of "The Round Towers of Ireland; or, the History of the Tuath-de-Danaans (being the Mysteries of Freemasonry, of Sabaism, and of Budhism) for the first time unveiled." He had published earlier in that year a translation of "Phœnician Ireland," by the Spanish antiquary Villanueva, illustrated with notes; which he had brought with him to London prepared for the press. Shortly before his death he had announced for publication "The Pyramids of Egypt for the first time unveiled." He was found dead in his bed, at the house of a friend where he had spent the preceding day. A short time previous to his death he held the situation of tutor in the family of the master of the Rolls, was presented at court, and received as a guest at Lansdowne-house.

28. At his seat, Dochfour, near Inverness, aged 93, Evan Baillie, esq. formerly M.P. for Bristol. Mr. Baillie was one of the most eminent of the merchants of that city, and previously to his election to represent it in parliament, was one of the aldermen of the corporation, and colonel of the Bristol volunteers. He was chosen member without a contest, at the general election of 1802, re-elected in 1806 and 1807, and retired in 1812.

— At Devenport, on his 59th birthday, Charles Mathews, esq., the eminent comedian. Mathews was born on the 28th June, 1776, at No. 18, in the Strand, where his father, Mr. James Mathews, was a respectable bookseller. He was educated at Merchant-tailors' school, where he remained until the age of seventeen, having been three years before, at the usual age, bound apprentice to his father. The bookseller was a Wesleyan methodist, and from religious

motives did not permit his children to visit a theatre; but the circumstance of meeting at an evening French school with Robert William Elliston, (who then went to St. Paul's,) inflamed that curiosity which prohibition had perhaps originally excited. By the connivance of a shopman, Master Mathews stole out, and went to the two-shilling gallery of old Drury. From that moment all occupation, save that of acting, became "stale, flat, and unprofitable." In Sept. 1793, Charles Mathews stole away to Richmond, where he made his first public appearance on the stage, as Richmond, in Richard the Third, and Bowkitt, in the Son-in Law. His father, finding his son's mind fixed upon the stage, one day addressed him thus:—"Charles, there are your indentures, also twenty guineas; I do not approve of the stage, but I will not oppose your wishes. At any time hereafter, should you feel inclined to turn to an honest calling, there are twenty guineas more, if you send for them, and your father's house is open to you." The second twenty guineas Mathews never claimed. The youth found himself, ere he was eighteen, with the wide world before him. A dramatic agent, for a consideration, obtained him an engagement at Canterbury, where he played Old Doily and Lingo; but having three good coats, they forced him to go on for the walking gentleman, whereat Charles became indignant, and walked off. In June, 1794, he appeared in Dublin, where he became acquainted with George William Cooke, afterwards a prominent character in his "At Home," and found a patron in Curran. Being confined, however, to inferior parts, he quitted Ireland in August, 1795. On his passage he was shipwrecked; but got off in a boat to Swansea, where he subsequently appeared as Lingo. In Wales he remained nearly four years, making repeated applications to Bath and York, then the two histrionic high roads to London. After a long correspondence he was engaged, in August, 1798, by Tate Wilkinson, as principal low comedian at York, Leeds, Hull, Doncaster, and Wakefield, for the sum of 30s. weekly, and four benefits per year. To York he went, taking with him Mrs. M. late Miss E. K. Strong, of Exeter, a lady of respectable family, and the authoress of a volume of poems, and some novels. Their marriage took place in 1797, and

DEATHS.—JUNE.

this lady died of decline, in May, 1802. Mathews was not at all appreciated during his first season in Yorkshire; Emery, whom he succeeded, had left a name of fame behind him that long impeded his successor. The death of Mrs. Mathews had an injurious effect on his health; he was subject to epileptic fits, and such was his state of depression, that Melvin (a warmhearted eccentric actor) made Mathews board and lodge with him "to keep him alive." In the early part of 1803, he received an offer from Colman to try his fortune at the Haymarket. Tate Wilkinson released him from his articles. As he meditated departure from Yorkshire, he discovered, what he had for some months suspected, that he was in love; he again proved a thriving wooer, and was united to Miss Jackson (half-sister to Miss Kelly), Colman extended the engagement to Mrs. and Mr. Mathews, and to town they came. Jabal (in *The Jew*), and Lingo, were the characters in which he appeared on the 15th May, 1803. In 1804, they were jointly engaged at Drury Lane; and there and at the Haymarket they remained until the 15th of September, 1810 when Mrs. Mathews quitted the stage. Mathews' talent had little opportunity for displaying itself, until the fire sent the company to the Lyceum; there his Dick Cypher made him a feature. In the same year (1809) he played Buskin, in the farce of *Killing no Murder*, which had an extraordinary run. At the end of the season, 1810-11, he quitted Drury Lane, and performed on the provincial boards. On the 12th of October, 1812, he appeared at Covent-garden, where he was engaged for five years, at 14*l.* 15*l.* and 16*l.* per week. In 1815, he was (with Terry) thrown out of his gig, and had his right leg fractured. This occurred in the midst of the Haymarket season, and his absence visibly affected the receipts. He imprudently left his chamber too early, and appeared as a speaking Harlequin, in a piece called *Harlequin Whitewashed*; he had an apology made for him, "begging, as the public had allowed a former manager to present the Devil upon Two Sticks, that they would excuse the appearance of a Harlequin upon one." The exertion proved injurious, and after a few nights he was unable to appear; and having strained upon the broken limb, he never afterwards recovered the use of that leg. At his benefit he, for the first time,

gave, between the play and farce, his *Mail Coach Adventures*. He became dissatisfied with his managers, and in 1817, quitted Covent-garden theatre, though offered double his former salary. On the 2d of April, 1818, he announced his intention of giving, at the English Opera-house, a monodramatic entertainment, called "*Mathews at Home*," Mr. Arnold finding the house, and Mathews furnishing the amusement. Never, perhaps, did a project of such a nature so decidedly succeed; night after night, and season after season, the theatre was thronged. Nor was this to be wondered at. Whatever merits Mathews possessed as an actor on the stage, his qualities of description, imitation, and illustration, *off* the stage, far transcended them; in the one he shared the talents and success of many; in the other he stood unrivalled. After six years success with this entertainment, Mr. Mathews went in 1823 to America, where he was extremely well received by the public. Being libelled in the "*Philadelphia Gazette*," he brought an action, and was awarded 3,000 crowns damages. He returned, and acted at the English Opera, in the autumn of 1823, and on the 25th of March following produced his "*Trip to America*." This, and his "*Jonathan in England*," acted the same year, in Mr. Arnold's regular season, became the subject of much ill-natured remark here and across the Atlantic, Mr. Matthews published an exculpatory letter in the "*European Magazine*." When Terry's intellect began to fail, Yates (who owes his introduction to the stage to Mathews) applied to him, and, the consequence was, the name of Mathews, instead of Terry, appeared as joint-manager of the Adelphi theatre. They entered into a partnership, the term of which expired just five days after Mathews's death. By the agreement, when either of them acted, he received 10*l.* There Mathews subsequently gave his entertainments; there he (in the dramatic season) performed. Latterly, a coolness arose between him and Mr. Yates, and he declined acting there at all. Last year Mr. Mathews undertook a second trip to America, accompanied by his wife, and, for the first time, gave his "*At Home*" in the United States. He subsequently acted his round of theatrical characters, and was, as before, received with the greatest applause. Circumstances, however, induced him to shorten his stay in that

DEATHS.—JUNE.

country, and he returned to England. He became ill on the voyage, which was very stormy and dangerous, and when he reached Liverpool his weakness was such that he was unable to quit the town for some weeks. He then removed to the house of a friend, near Daventry, where he seemed to rally; but it was deemed advisable as speedily as possible to remove him to the West of England, where, in spite of the mildness of the air, and unremitting attention, symptoms of a fatal disorder exhibited themselves, and, after several weeks of protracted suffering, he expired; the immediate cause of his death being water on the chest.

28. Aged 39, Georgiana-Caroline, wife of Sir Jacob Astley, bart. M.P.

30. In Cadogan-place, aged 79, lieutenant-sir Henry Bell, K.C.B., formerly resident commandant of the Royal Marine Corps in London.

30. At Chartley Castle, the right hon. Sarah, Countess Ferrers. She was the daughter of William Davy, esq., and became the second wife of the present earl Ferrers in 1829.

30. At Falmouth, capt. Andrew King, C.B., superintendent of packets at that port.

Lately.—At the Royal Arsenal, Woolwich, aged 63, col. Charles Cox Bingham, firemaster in the laboratory.

— At Lane-end, aged 73, William Turner, esq., whose name is connected with various discoveries and improvements in the earthenware manufacture. At the breaking out of the French revolution he happened to be in France, and was taken as a Dutch spy, on which charge he was tried and acquitted. Afterwards he was compelled to assist in demolishing the Bastile. He owed his liberty to the late duke of Sutherland, then ambassador at Paris.

— At Paris, Baron (Jean Antoine) Gros, who terminated his life by drowning himself in the Seine. This celebrated historical painter—among the very first of his age and country—was born in 1771. He very early displayed a decided talent for drawing, and at length, notwithstanding his narrow circumstances, his father contrived to place him under David; but though that master soon discovered his pupil's ability, he was by no means eager to encourage it, or bring it forward, apprehending, most probably, that by so doing he should only be advancing a future rival. When he

quitted David's *atelier* Gros was for some time obliged to paint miniatures for his immediate livelihood; until, disgusted with such employment, he enlisted in the ranks, and went to serve in the French army in Italy. There he soon obtained the rank of officer, and also recommended himself to Buonaparte's notice, by whom, after the battle of Arcole, he was appointed one of the commission for selecting the paintings stipulated to be given up to the conqueror by various Italian cities. Neither had his military life been without advantage to him in his more peaceable profession, for it was on the field of battle, and amidst scenes of horror and carnage that he studied, and not unfrequently sketched on the spot, those groups and effects which he afterwards transferred to canvas. It was in 1802 that he produced his picture of "Buonaparte on the Bridge of Arcole," a work that immediately stamped his reputation. This was succeeded in 1804 by another *chef d'œuvre*, "The Plague in the Hospital at Jaffa." During the four next years he was employed on the "Battle of Aboukir," a large sketch of the "Battle of Nazareth," and "Buonaparte on the Field of Eylau;" which last-mentioned, and his Jaffa, may be considered the finest works of his pencil. Besides these may be mentioned, "The Taking of Madrid"—"Buonaparte at the Pyramids"—"Charles V. and Francis I. in the Chapel of St. Denis," and "Napoleon and the Emperor Francis of Austria." The restoration interrupted the triumphant career of the artist. He was commissioned to paint subjects far less congenial than those which had earned him so high a reputation, and he may be said to have laboured at them without inspiration and without enthusiasm. The best of his latter productions are the paintings he executed in the upper dome of the Pantheon. He also employed himself on several mythological subjects, but with no marked success; and it is conjectured that the mortification he felt at finding himself unable to gather any fresh laurels for the reputation he had already achieved, prompted him to the rash deed of self-destruction.

JULY.

— 1. At Rood Ashton, Wiltshire, after a lingering and distressing illness,

DEATHS.—JULY.

aged 73, Richard Godolphin Long, esq. At the general election in 1806, he was returned to parliament as one of the knights for Wiltshire; he was re-elected in 1807 and 1812, and retired at the dissolution in 1818.

1. Aged 28, count Oberg, equerry to the king of Hanover, only son of baron Oberg, of Hanover. At an early hour he repaired to Palace-yard Stairs, and hired a waterman, for the purpose of bathing, but had not been in the Thames more than five minutes, when he swam back to the boat, and took from under the cushion a small phial, which he put to his mouth, and swallowed the contents; again plunged into the river, and swam about for a short time, until at length the waterman's suspicions were excited by observing the gentleman sinking. He immediately rowed towards him, and succeeded in dragging him into the boat. Mr. M'Cann, of Parliament-street, sent his assistant home with the gentleman, but they had no sooner arrived at his lodgings than he made an excuse to get rid of the attendant by telling him to send his master. Immediately on being left alone, the deceased, it is supposed, took a small but sharp dagger, and, placing himself before the glass, twice stabbed himself in the left breast, with a desperate force, the dagger each time penetrating the body up to the handle. The jury returned a verdict of—Temporary derangement.

4. At Usselby-house, Lincolnshire, aged 85, George Tennyson, esq., of that place, and Bayon's Manor.

5. At Tilgate Lodge, Sussex, aged 66, sir Edw. Banks, of the firm of Jolliffe and Banks, contractors for public works.

6. At Vernon-house, Park-place, in his 51th year, the right hon. Edward Harbord, third Lord Suffield, of Suffield in Norfolk.

— At Chepstow, Mark Willett, esq. surgeon, author of the "Bristol Tide Tables," "Stranger in Monmouthshire," &c.

8. In Great Stanhope-street, the right hon. Anne dowager lady Ashburton.

12. In Walcot Poor-house, Margaret Robinson, a pauper, aged 107 years, the last ten of which she had spent in the above asylum.

13. In Upper Berkeley-street, the Baroness de Montesquien.

18. At the house of Joshua Walker, esq. in Grove-end-road, Lewis Allsopp

Lowdham, esq. solicitor to his Majesty's Duchy of Cornwall, and secretary of Lunatics to the Lords Commissioners for the custody of the Great Seal.

18. At Chamarande, near Paris, aged 63, T. R. Underwood, esq. F. G. S. He wrote a "Narrative of Memorable Events in Paris during the Capitulation, and during the Occupancy of that City by the Allied Armies in the year 1814."

23. At Chelsea, aged 63, Mr. Daniel Egerton, formerly of Covent-garden theatre.

— On board the sir Edward Banks steam-packet, on his way from England, in his 42d year, professor Reuvens, of Leyden. He published, in 1830, "*Lettres à M. Letronne sur les Papyrus Bilingues et Grecs, et sur quelques autres Monumens Græco-Egyptiens du Musée d'Antiquités de l'Université de Leide.*" He had visited England to attend the late sale of Mr. Salt's Egyptian collections, and succeeded in carrying off the finest specimen of hieroglyphical papyrus, at the great price of 160 guineas.

25. Anna-Guilhermina, wife of sir Peter Pole, bart.

27. In Norton-street, James Gilbert Burnett, esq., F. L. S., professor of Botany in King's-college, London, and demonstrator to the Society of Apothecaries; author of "Outlines of Botany," in 2 vols. 8vo., and other elementary works.

28. Aged 26, the hon. Frances, wife of the rev. Chas. Leslie, son of the lord bishop of Elphin, the fourth and youngest surviving daughter of viscount Lorton.

— At Chatham Dock-yard, lady Gordon, wife of capt. superintendent sir J. A. Gordon, K. C. B.

— At Paris, shot dead by the discharge of fire-arms aimed at the king, in his 68th year, marshal Mortier, duc de Treviso.

29. At his apartments in the new State Paper-office, St. James's-park, in his 57th year, Robert Lemon, esq., F. S. A. deputy keeper of his majesty's state papers. He was born in London, and received the chief part of his education at the grammar-school of Norwich, under the rev. George William Lemon, compiler of the "Etymological Dictionary." He was first employed in the business of his profession at the Tower, by his father, who was chief clerk of the Record-office there, and their

DEATHS.—JULY.

names are united in the title-pages of the Calendars of the Charter Rolls and Inquisitions ad Quod Damnum, and of the Inquisitions post Mortem, published by the Record Commission. Some time before those volumes were printed, and after he had been engaged at the Tower for about eighteen months, he was, on the 24th June, 1795, transferred as an extra clerk to the State Paper-office. About the same time, and before he was eighteen, he married. His principal in the office was the late John Bruce, esq., who was appointed keeper of state papers in 1792, and retained the situation until his death, in 1826, when he was succeeded by the right hon. Henry Hobhouse, the present keeper. Mr. Lemon's talents and aptitude for business were soon conspicuous, and he became a valuable auxiliary of Mr. Bruce. So early as 1798, he rendered considerable service in the compilation of the valuable historical Appendix to the Report on Internal Defence, chiefly relating to the preparations made against the threatened invasion of 1588. On the establishment of the State Paper-office being re-modelled, in 1800, he was retained there; and in Feb. 1801, was promoted to the office of second clerk, which in fact is the first clerk, under the Deputy Keeper. He was also materially assistant to Mr. Bruce at the East India House, where the latter held the office of Historiographer, in collating and arranging the materials of the annals of the company, published in 1810. Some time after he received a very flattering invitation from the late Duke of Northumberland to undertake the arrangement and custody of his family records; but this offer was broken off in consequence of the fatal illness of his Grace. Shortly after, on the retirement of Mr. Bruce from the service of the East India Company, Mr. Lemon had the offer of his appointment, on condition that he confined himself exclusively to the business of the Company, with a salary of 250*l.*, rising progressively to 400*l.* per annum. This was a very tempting offer, as in the State Paper-office he had only a salary of 200*l.*; and, after a negociation had been carried on for some time, on the 19th April, 1817, he sent in a resignation of his situation, having then served twenty-two years in the office. Mr. Bruce, to whom the services of Mr. Lemon were essential, implored Lord Sidmouth not to accept this resignation; and the result was,

that on the 7th June, 1817, an additional allowance of 200*l.* a year was made to Mr. Lemon, and a promise that he should succeed to the office of deputy keeper on the retirement or death of Mr. Browne, who then held that appointment. Within six months after, that gentleman died; and on the 23rd Jan. 1818, Mr. Lemon was appointed deputy keeper. Having now the control in his own hands, he for several years sedulously and perseveringly employed himself in perfecting the arrangement of large masses of papers. The Royal Letters, the Irish Correspondence, the Scottish Correspondence, the Royalist Composition Papers, and, above all, the papers relating to the Gunpowder Plot, and other very valuable series, consisting of many hundred volumes, are proofs of his labours. The papers were deposited in two separate buildings, the office formerly in Scotland-yard, and lately in Great George-street, and a long gallery over the Treasury passage. In this gallery, a vast quantity of papers, of the highest value, was in the utmost confusion, and buried under accumulated dust and cobwebs. To cleanse this Augean stable, Mr. Lemon set earnestly to work, at the latter end of the year 1823; and it was in this receptacle that the manuscript was discovered of Milton's long-lost work, "*De Doctrina Christiana*," which, having been presented to King George the Fourth, was intrusted to the rev. C. Sumner, now bishop of Winchester, for publication. The attention of sir Robert (then Mr. Secretary) Peel was attracted by this circumstance to the too-long neglected value of the State Papers, and he was induced to recommend to his majesty the formation of a commission for printing and publishing such portions of them as would throw light on the history of the country. Accordingly, a commission, was issued on the 10th June, 1825, and renewed on the 14th September, 1830, and Mr. Lemon was appointed secretary to the commissioners. The documents in the State Paper Office, belonging to the reign of Henry VIII., never having been perfectly arranged, that laborious work was undertaken by Mr. Lemon, and when perfected, it was determined to publish them in seven classes or divisions; two of which were edited by the right hon. Henry Hobhouse, in 1831, in a large quarto volume, and a third in two other volumes, last year; the materials

DEATHS.—JULY.

of two more such volumes are very nearly prepared for the press.

29. At New-lodge, near Belfast, aged 55, Michael Thomas Sadler, esq., F.R.S. Mr. Sadler was born at Snelstone, a village in the south of Derbyshire, in January 1780. His mother's family were French refugees at the revocation of the edict of Nantes. He was educated principally at Rome, and exhibited extraordinary powers of mind in very early youth, having mastered the higher branches of mathematics and astronomy by the time he was eleven years of age. His father intended him for one of the learned professions; but, when about eighteen years old, he was induced to join his brother in business at Leeds. On a vacancy occurring for the borough of Newark, in March 1829, a deputation of the electors waited upon Mr. Sadler, at Leeds, and invited him to become a candidate. He complied, and triumphed, though opposed by Mr. Serjeant Wilde. Mr. Sadler immediately distinguished himself by a very long and eloquent speech against the Roman Catholic Claims, delivered in the House of Commons on the 17th of the same month. At the general election of 1830 he was again chosen for Newark, and in 1831 for Aldborough. His two principal works are—"Ireland, its Evils, and their Remedies," and his "Law of Population," in 2 vols. 8vo.; in which he maintained views opposite to those of Malthus. Mr. Sadler's disease was an incurable affection of the heart.

30. At his seat, Strawberry-hill, Middlesex, aged 50, the right hon. John-James Waldegrave, sixth earl of Waldegrave.

— At Interlacken, in Switzerland, drowned when bathing, aged 18, Charles Stuart, ensign 25th regt., third son of gen. the hon. sir Patrick Stuart, uncle to lord Blantyre.

— At Liverpool, on his road from Dublin to London, the right rev. Thos. Elrington, D.D., lord bishop of Leighlin and Ferns, M.R.I.A., &c. &c. Mr. Elrington obtained a scholarship in the university of Dublin in 1778; and in 1781 was elected fellow. In 1794 he became the first Donnellan lecturer, elected on the foundation of Mrs. Anne Donnellan. That lady had bequeathed to Dublin college the sum of 1,243*l.* for the encouragement of religion, learning, and good manners; the particular mode

of application being intrusted to the provost and senior fellows, who, by their resolution of 22nd Feb. 1794, established a lectureship of six sermons, to be delivered in the college chapel, after morning service, on certain sundays; the lecturer to be elected annually from among the fellows of the college; the subject of the lectures to be determined by the board; one copy of the lectures to be deposited in the library of the college; one in the library of Armagh; one in the library of St. Sepulchre; one to be given to the chancellor of the university, and one to the provost of the college. The subject of Dr. Elrington's lectures was, "the proof of christianity derived from the miracles recorded in the New Testament," which lectures were printed in Dublin in 8vo. 1796, together with the Act Sermon, which he preached Nov. 15, 1795, for the degree of doctor of divinity. In 1795 he was chosen professor of mathematics; and on the 25th Dec. 1806, he was presented to the rectory of Ardtrea, in the county of Tyrone, and diocese of Armagh. In 1811, he was raised to the highest rank a literary man can attain in Ireland, by being appointed Provost of Trinity College;—a situation which he filled for several years with the highest credit to himself, and advantage to those whose interest and welfare it was his happy lot to promote. In the year 1820, he was consecrated bishop of Limerick; and he was translated, in 1822, to the see of Leighlin and Ferns. Dr. Elrington published an edition of Euclid, enlarged by Notes, which is now the text book in the Dublin University, and throughout Ireland; and a valuable edition of Juvenal, illustrated by Notes, critical and explanatory.

— At Bromley-hill, Kent, aged 76, the Rev. William Long, Canon of Windsor, rector of Sternfield, Suffolk, and of Pulham, Norfolk; only surviving brother to Lord Farnborough.

— At Weymouth, Major-Gen. Martin Campbell Cole.

AUGUST.

1. At Canterbury, in his 73d year, lieu.-col: R. Gordon, of the Hon. East India Company's service, for 22 years adjutant-general on the Bombay Establishment.

3. Maria, wife of major-gen. sir Alex.

DEATHS.—Aug.

Leith, K.C.B. of Freefield and Glenkennie, Aberdeenshire.

5. At Upton Bishop, aged 62, the hon. Anna Maria Yorke, half-sister to Earl Summers.

— At his house in Salisbury place, Edin., aged 63, the rev. T. M'Crie, D.D. Dr. M'Crie was a native of Dunse. He received his education in the university of Edinburgh, and studied divinity under Mr. Arch. Bruce, minister of Whitburn, the theological professor in connection with the General Associate (or Antiburger) Synod. Having been licensed as a preacher by that body, he was at an early period of life ordained minister to a congregation in Edinburgh. In 1806 he separated from the General Associate Synod, and joined Mr. Bruce and others in founding what was called the Constitutional Associate Presbytery. During the controversy connected with this change, he was led to engage in a minute and patient survey of the writings of the Reformers, and the result was, his life of John Knox, which was published in 1812. After an interval of seven years, it was succeeded by the life of Andrew Melville. He also published "Memoirs of Mr. William Veitch and George Brysson," 1825; "History of the Progress and Suppression of the Reformation in Italy, in the sixteenth century," 1827; and a similar History of the Reformation in Spain, 1829. He had been for several years engaged on a Life of Calvin.

— At Chelsea, in the 40th year of his age, Gilbert Stuart Newton, esq. R.A. He was born in Halifax, Nova Scotia, on the 20th September, 1794, and was the twelfth and youngest son of the hon. Henry Newton, collector of his Majesty's Customs, in that province. On his first arrival in Europe, some fifteen years ago, he visited Italy, and, on his return to this country, entered himself a student of the Royal Academy. The first works by which he became extensively known, were his 'Forsaken,' and his 'Lovers' Quarrel,' engraved in the 'Literary Souvenir' of 1826; his 'Prince of Spain's Visit to Catalina,' engraved for the same work in 1831, and painted for the Duke of Bedford; and a scene from the Vicar of Wakefield. The chief works of Newton were painted while he resided in Great Marlborough-street: he occupied the first floor of the house No. 41, (next door to his friend Chalon); and though extremely neat, nay, fastidious

about his dress, he was far from paying the same attention to his chambers, for his compositions were scattered carelessly around, the finished and unfinished were huddled together, and broken models, and bits of ribbon, and withered flowers abounded. His happiest works are of a domestic and poetic kind. The duke of Bedford gave him 500 guineas for the 'Prince of Spain's Visit to Catalina,' and lord Lansdowne paid him 500 guineas for his 'Macheath.' About three years ago he visited America, where he married a young lady of considerable personal attractions. He was elected a Royal Academician in 1834. Shortly after his return to England he exhibited signs of insanity, which increased until it became necessary to send him from home. Four days before his decease, he recovered the exercise of his reason, and spoke of his approaching end with calmness and resignation.

12. At Esher, Surrey, George Cookson, esq. a lieut-general in the army, and colonel of the royal artillery.

13. At his seat, great Haseley House, Oxfordshire, aged 70, John Wastie, esq. D.C.L. Recorder of Oxford; formerly known as John Ingram Lockhart, esq. M.P. for the city of Oxford.

14. Drowned, whilst bathing in the reservoir at Kingsbury, Charles Radclyffe, aged 31 years; Alexander Henry, aged 19 years; William George, aged 17 years; and Edward, aged 15 years; the four sons of Alexander Radclyffe Sidebottom, esq. of Sloane-street and Lincoln's-inn, barrister-at-law. The eldest lost his life in attempting to rescue his brothers, who, clinging to him, kept him below the water.

18. At Paris, in his 80th year, M. Dulaure, author of the "Histoire de Paris et ses Environs," and who was a Member successively of the Constituent Assembly, the National Convention, the Council of Five Hundred, and the Legislative Body.

19. At Cirencester-place, aged 27, Mr. James Mitchell, secretary to the Oriental Translation Committee, and translator of the Oriental MSS. in the British Museum.

19. At Hampstead, in his 74th year, Baker John Sellon, esq. B.C.L. Serjeant at Law.

20. At Poltair, the residence of capt. Giddy, R.N. near Penzance, aged 60, John M'Culloch. M.E. author of a Description of the Highlands and Western

DEATHS.—Aug.

Isles of Scotland, which gave great offence to that nation, 4 vols. 8vo; of "The Geology of Rocks," and "The art of making Wine;" and the supposed concoctor of sir John Ross's recent history of his North Pole Expedition. His death ensued from a broken leg received in falling from his carriage.

20. At Little Missenden, aged 80, Mrs. Cleaver, widow of the bishop of St. Asaph.

21. At St. Omer, aged 49, Charles Harrison Batley, esq. barrister-at-law. In 1826 he was elected M.P. for Beverley.

23. At Enderby Hall, Leicestershire, aged 84, Charles Loraine Smith, esq.

23. At Milton Bryan, aged 77 Mary, widow of sir Hugh Inglis, bart. and step-mother to sir R. H. Inglis bart. M.P.

23. At Ray Lodge, Maidenhead, in his 54th year, Isaac Pocock, esq., a deputy-lieutenant and justice of the peace for that county. He was born at Bristol, the 2d March, 1782. He was placed first as a pupil with Romney, after whose retirement he studied under Sir William Beechey. In 1818 he succeeded to the property of his uncle and aunt, sir Isaac and lady Pocock, and took up his residence at Maidenhead, where he employed both his pencil and pen, and produced a great number of popular dramatic pieces.

24. In Weymouth-street, Portland-place, aged 66, William Say, esq. mezzotinto engraver. The number of his known works is 335, all executed by his own hands; many of them large historical and domestic subjects, and many whole-length portraits.

25. Patrick Power, esq. of Bellevue co. Waterford, M.P. for that country.

25. At the house of her mother-in-law the dowager countess of Guildford, Putney Hill, aged 36, lady Georgiana North, third and youngest daughter of George Augustus third earl of Guildford, and one of the coheirs of the barony of North, which now remains in abeyance only between her two surviving sisters, the marchioness of Bute and lady Susan North.

30. In King-street, Portman-square, very suddenly, Mr. Francis Goodwin, architect of the town-hall, Manchester, Hulme church, and other buildings, enumerated in the introduction to the Second Series of his "Domestic Architecture." To this publication a some-

what curious history is attached, for although the title to the second series originally contained the name of the author of the literary portion of it, but few copies are now to be found with that title, another having been surreptitiously substituted, wherein the name was omitted. This unprecedented manœuvre drew forth an exposure of Mr. G.'s conduct in the Architectural Magazine for June, 1835; nor did he attempt either to deny the fact, or to offer any explanation of so extraordinary an affair. Shortly before his decease he brought out a second edition of the work, containing the Supplement promised in the first, but by no means fulfilling the promise there made in regard to it, while, by some unlucky oversight, the promise itself remains in the book, identically the same as before, although there are neither any specimens of parts at large, nor any "parts at large," both of which are much wanted. Some of the designs themselves possess originality, and a certain picturesque effect which flatters the eye at first sight, but when examined, show themselves to be little more than first drafts and ideas, abounding with many inconsistencies, and but imperfectly made out in their details.

31. In Park Crescent, the rt. hon. Clementina countess of Airlie and Lintrathen.

Lately. At Rome, Pinelli, the painter. Dante's "Paradiso," illustrated by him, was laid upon his bier, and his remains were carried to the church amidst a troop of artists bearing torches, and students bearing cypress boughs. His burst is to be placed in the Capitol.

— At Nynehood Court aged 37, Henrietta, wife of Edward Ayshford Sandford, esq. M.P. for West Somerset.

— At Naples, Thomas James Mathias, esq. F.R.S. F.S.A. a royal associate of the Royal Society of Literature. He received his education at Eton, and thence removed to Trinity college, Cambridge, where he took the degree of B.A. 1774, without any honour in mathematics, in the next year he obtained one of the member's prizes for the best dissertation in Latin prose, and in 1776 he gained one of the same prizes as a senior bachelor. In the latter year he was elected to a fellowship in his college. His first publication was 'Runic Odes, imitated from the Noirs Tongue, in the manner of Mr. Graye

DEATHS.—SEPT.

SEPTEMBER.

printed at London, 4to. 1781. In 1783 he published 'An Essay on the evidence external and internal, relating to the poems attributed to Thomas Rowley.' In 1794 appeared the first part of an anonymous poem entitled 'The Pursuits of Literature,' which, when completed in four parts, attracted great attention. The general voice attributed it to Mr. Mathias, though many still thought that he had received material assistance from correspondents. His other works are a Latin Ode, addressed to Mr. Orde, Governor of the Isle of Wight, 1791. 'A Remonstrance from the Parrot to the Public Orator, (Latin.)' March 1794. 'The Imperial Epistle from Kien Long to George III.' 1794. 'Letter to the marquis of Buckingham, chiefly on the subject of the numerous French emigrant priests, by a Layman.' 1796. 'The Political Dramatis of the House of Commons.' 1795. 'A Pair of Epistles to Dr. Randolph and the Earl of Jersey.' 1797. 'The Shade of Alexander Pope, on the banks of the Thames' a satirical poem, with notes, 1798, 'Odes, English and Latin,' 1798, small octavo; not published. 'A Letter occasioned by the death of the rev. Norton Nicholls, L.L.B. Rector of Lound and Bradwell in the county of Suffolk;' 'Works of Thomas Gray; with his Life, and additions,' printed at Cambridge. 1814. 2 vols. 4to. In 1814, and with finances always very limited, Mr. Mathias quitted this country for Naples, where he resided, much respected by eminent persons of rank and literature, both of that country and his own, until his death. The following are some of Mr. Mathias's Italian publications: 'Rime Scelte de Francesco Petrarca.' 'Componimenti Lirici de' piu Illustri Poeti d' Italia,' &c. 8 vols. small 8vo. 1802. 'Aggiunti ai Componimenti Lirici,' &c. 8 vols. small 8vo. 'Commentari intorno all' Istoria della Poesia Italiana, da Crescembini,' 3 vols. small 8vo. 1803. 'Istoria della Poesia Italiana da Girolamo Tiraboschi,' 3 vols. small 8vo. 1803. 'Canzoni Toscani de T.J. Mathias.' 4to. and small 8vo. No Englishman, probably, since the days of Milton, had cultivated the Italian language with so much success. 'Saffo, drama lirica tradotta dell' Inglese di Mason.' 1807. 'Licidas di Giov. Milton, tradotta dell' Inglese.' 1812. 'Della Ragion Poetica de Gravina.' 1806.

1. At Highbury-grange, aged 83, John Bentley, esq., author of "The Divine Logos," 1803, and other theological and controversial works.

2. In his 75th year, the rev. Edward Picton, of Iscoed, near Carmarthen; the only surviving brother of the late general sir Thomas Picton.

5. At his residence in Holles-street, Dublin, in his 87th year, sir John Edmund Browne, of Johnstown, Dublin; Bart.

7. At Chester, aged 86, Mrs. Anne Glynne, great-aunt to sir S. R. Glynne, bart., and aunt to sir W. E. Welby, bart.

8. At Serjeant's-inn, Samuel Comyn, esq., of the Middle Temple, special pleader, late recorder of Rochester.

9. In Norfolk-street, Strand, in the 47th year of his age, James Weddell, esq. F.R.S.E. He was the commander of the Jane sailing vessel, who penetrated the southern regions towards the Pole to a higher degree of latitude than any adventurer who preceded him in that dangerous career. The account of his voyage to the South Pole was published in 1825.

12. In her 75th year, the hon. Georgiana Townshend, thirty-four years housekeeper at Windsor-castle.

14. At New Grove, Petworth, aged 71, Jeremiah Dyson, esq. late Clerk of the House of Commons.

— At the house of his brother, in Leeson-street, Dublin, aged 72, the right rev. John Brinkley, D.D. lord bishop of Cloyne, president of the Royal Irish Academy, F.R.S., &c. &c. This distinguished mathematician was a native of Woodbridge, Suffolk, and received the early part of his education at the grammar-school in that town, and from thence he removed to Mr. Tilney's, at Harleston. He graduated at Caius college, Cambridge, B.A. 1778, as senior wrangler, and senior Smith's prizeman, and afterwards was elected a fellow of that society. He proceeded M.A. 1791, B. and D.D. 1806. Dr. Law, bishop of Elphin, brother of the late lord Ellenborough, introduced Mr. Brinkley to the notice of the board of Trinity college, Dublin, and in 1792, he was appointed Andrews' professor of astronomy. He devoted himself earnestly to the duties of his office, and published for the use

DEATHS.—SEPT.

of the students an elementary treatise on astronomy. Dr. Brinkley's discovery of the parallax of the fixed stars, in 1814 which was for a time controverted by Mr. Pond, assured for him a reputation, which was well supported by his communications to the Transactions of the Royal Irish Academy. He was consecrated bishop of Cloyne, in 1826; and shortly after resigned his professorship.

19. In Abingdon-street, aged 57, Edward George Walmisley, esq., clerk of the journals of the House of Lords.

19. At Torrington, aged 68, Daniel Johnson, esq., late surgeon on the Bengal Establishment, author of "Indian Field Sports," and other works.

20. Aged 92, Humphrey Osbaldeston, esq. of Gateforth House, near Selby, and of Hunmanby, near Scarborough.

23. At Fasque, Kincardineshire, in her 63rd year, Ann, wife of John Gladstone, esq. of Liverpool, and of Fasque.

23. At Puteaux, near Paris, in his 29th year, Signor Bellini, the composer of "I Puritani," &c. Bellini was a native of Catania, in Sicily. His father and grandfather were both musical men; the former was a chapel-master. Bellini studied in the conservatory at Naples, and was a pupil of Zingarelli. His talent developed itself at a very early period, and before he had attained his twentieth year he had written the successful opera of "Bianca e Fernando," which was produced at the San Carlos, and at once created his reputation. Within the following year he brought out "Il Pirata," at the Scala, at Milan; and from this period established a style peculiarly his own, and became the idol of the Milanese. This opera was succeeded by the "Straniera," at the same theatre. The opera of "Zaira" followed next, and was first represented at Parma. His succeeding works were written as follow:—"La Sonnambula," for Naples; "I Capuletti e I Montecchi," for Venice; "Norma," for Milan; "Beatrice Tenda" for Venice; and "I Puritani," for the Italian Opera at Paris.

25. At Salisbury, aged 82, Dr. Robert Thomas, an eminent physician, long resident in that city. He was an honorary member of the Literary Historical, and Philosophical Societies of New York, and the author of "The Modern Practice of Physic," and other esteemed medical works.

27. At an advanced age, the Abbé Gervais de la Rue, Honorary Canon

of the cathedral of Bayeux, knight of the Legion of Honour, member of the Institute, Dean of the Faculty of Letters of the Royal Academy of Caen, and Foreign member of the Society of Antiquaries of London. The Professor of History in the university of Caen previous to the revolution. In 1794, being then in London, he addressed to the earl of Leicester, Pres. S. A. "An Epistolary Dissertation upon the life and writings of Robert Wace, an Anglo-Norman poet of the twelfth century." In the following year he continued the subject in a Letter to sir Joseph Banks, Pres. R.S. "concerning the lives and writings of various Anglo-Norman poets of the Twelfth Century." In 1796 he addressed to Francis Douce, esq. F.S.A. a "Dissertation on the life and writings of Mary, an Anglo-Norman poetess of the Thirteenth Century;" and in 1797 to J. H. Major, esq. F.R.S. & S.A. a "Dissertation on the lives and works of several Anglo-Norman poets of the Thirteenth Century." On returning to France M. de la Rue resumed the duties of his professorship, and sustained them for many years. He communicated several antiquarian dissertations to the Académie des Sciences, Arts, et Belles Letters of Caen; abstracts of which are printed in its transactions. In 1812 his friend Mr. Douce translated his memoir on the celebrated tapestry of Bayeux, and communicated it to the Society of Antiquaries of London, who printed it in the *Archæologia*, vol. xvii. pp. 85—409. In 1815 M. de la Rue printed at Caen "Recherches sur les ouvrages des Bardes de la Bretagne Armoricanne dans le moyen age." In 1834, the Abbé printed, in three octavo vols., "Essais Historiques sur les Bardes, les Jongleurs, et les Trouvères Normands et Anglo-Normands."

28. At Beaufort-buildings, near Gloucester, (whither he had gone for medical advice), aged 75, sir Charles Tyler, G.C.B. Admiral of the White, of Cothel, county Glamorgan.

30. At Geneva, aged 45, the hon. Sir Charles Gordon, lieut.-col of the 42nd Royal Highlanders; brother to the earl of Aberdeen.

Lately. Anna Maria Pellegrini Celoni, of the Philharmonic Academy of Bologna, who had carried the art of song to perfection, and even in youth was the admiration and delight of her time; she was intimate with Canova, to whom she dedi-

DEATHS.—Oct.

cated a work on the principles of the art in which she gained her great reputation.

Lately. In his 82nd year, M. Deleuze, Honorary Librarian at the Garden of Plants, the translator of Darwin's *Loves of the Plants*, and Thomson's *Seasons*, and author of some original works.

— Aged 45, Henry Arendt Hamaker, Professor of the Oriental languages at Leyden.

— In Cuba, Mr. James Drummond, an indefatigable botanist, who sent home many interesting plants to the Glasgow Botanic Garden and to various others.

— Aged 77, the hon. George Walpole, comptroller of cash in the Exchequer-office; uncle to the earl of Orford.

— Commander Ambrose Crofton, R.N.

OCTOBER.

1. At Bower Ashton, near Bristol, the Rev. Luke Booker, L.L.D., M.R.S.L., vicar of Dudley, one of his Majesty's Justices of the Peace for the counties of Worcester, Hereford, and Stafford, and during the Regency, one of the chaplains in ordinary to his Royal Highness George Prince Regent. His chief productions were *Poems, sacred, &c.* 1785, enlarged 1788; the *Highlanders*, 1787; *Sermon at Old Swinford*, 1788; *Miscellaneous Poems*, 1790; *Sermon on the memory of Mr. George Bradley*, 1791; *Malvern*, a Poem, 1798; the *Hop Garden*, a Poem, 1800; *Tobias*, a Poem, 1805; *Calista*, or the *Picture of Modern Life*, 1806; *Address to Parliament on enlarging Churches*, 1809; *Sermon on the Jubilee*, 1809.

2. At the house of his relation, the reverend Peregrine Curteis, vicar of Branstone near Lincoln, in his 84th year,—John Willis, M.D., of Greatford, in that county. He was the second and last surviving of the five sons of the celebrated Dr. Willis, whose virtues and skill he inherited.

4. At Corbally, near Dumfries, aged 85, Sir Thomas Dunlop Wallace, the sixth baronet of Craigie, co. Ayr, bart. (1669).

— At Paris, aged about 30, Don Telesforo de Trueba y Cosia, the author of several dramas and novels. On the overthrow of the Constitutional party, his mother, a woman of fortune and a staunch liberal, left Spain, and for many years continued to reside at Paris;

Trueba himself came to England, where he had been educated. He wrote dramas in Spanish, French, and English. Amongst his English dramatic pieces were the very popular farces "*Call again To-morrow*," first acted at the Olympic Theatre by the E. O. company; and "*Mr. and Mrs. Pringle*;" also an unsuccessful comedy called "*Men of Pleasure*," produced at Drury-lane, 1832; and "*The Royal Fugitive*, or the *Triumph of Justice*," which was performed with success at the Victoria, in Jan. 1834. He also wrote "*The Castilian*," "*The Incognito*," "*Paris and London*," "*Salvador the Guerilla*," and other novels, and was a contributor to the *Metropolitan Magazine*, and many of the periodicals. Trueba returned to Spain early in 1834, and was soon after elected a member of the Chamber of Procuradores, and Secretary to one of the Committees.

4. At Bristol, in her 107th year, Jane Martin, who, for upwards of fifty years, sold fruit, &c. at the corner of Church-lane, Peter-street, Bristol.

— Aged 61, John Edmonds Stock, M.D., late of Clifton. He was a gentleman-commoner of Exeter College, Oxford, but left the University without a degree. He was the intimate friend of Dr. Beddoes, and in 1811 published the memoirs of that physician, with an analytical account of his writings.

6. At Colgarth-park, Windermere, Harriet, second daughter of the late Dr. Richard Watson, lord bishop of Landaff.

14. At Orchard Wyndham, aged 77, Henry Tripp, esq., bencher of the Middle Temple.

15. At Berlin, where he was born March 21, 1795, Johann Fred. Karl Konstantin Schröter, an artist of considerable eminence as a painter of domestic subjects and tableaux de genre. His first studies were in historical composition, and he afterwards followed portrait-painting with much success. It was, however, in the first-mentioned department of the art in which he most distinguished himself, and which he latterly pursued exclusively, producing a great number of exceedingly clever works in it. Among them may be here mentioned, his "*Sale of a Painter's Effects*," which was exhibited in 1832, and greatly admired for the variety of the groups introduced into it. Many of his pieces are well known by means

DEATHS.—Oct.

of lithographic engravings of them, and have become popular favourites in that form. His execution was remarkable for extreme delicacy of finishing, and an excellent tone of colour.

17. At Dresden, aged 75, the celebrated antiquary, Karl August Bottiger. His “Sabina; or, The Toilette of a Roman Lady,” *Ideen zur Kunst-mythologie*, and *Ideen zum Geschichte der Mahlerei*, would alone suffice to place him very high as a man of elegant erudition; yet these are in amount nothing, compared with the numerous critical papers, and other articles by him, scattered up and down various periodicals, and some of them of great curiosity and value. Among them we may reckon his “Sabina on the Coast of Naples,” printed in one of the volumes of the “Urania;” his *Artistisches Notizenblatt*, published as an appendix to the *Abendzeitung*; *London und Paris*, a periodical in which he gave full descriptions of Gilray’s caricatures, somewhat in the spirit of Lichtenberg’s admirable Commentary on Hogarth; and his contributions to the *Journal des Luxus und Moden*. Of some of his journalist writings the interest is passed away; but there are many which deserve to be collected into a uniform publication, as does likewise the greater part of his very extensive correspondence; and this latter alone would fill many volumes. Bottiger was well acquainted with the English, and most of the other European languages.

20. At Brompton, Elizabeth, wife of sir John Gibbons, bart., of Stanwell-park.

23. In his 60th year, Mr. Thomas Heaphy, painter in water-colours. He was brought up as an engraver, but soon devoted himself to water-colour painting, and was one of the earliest members of the old Water-colour Society. His principal pictures are two of Fish-markets, A Blind Man soliciting Alms, The Cheat at Cards, The Sore Leg, Juvenile Poachers, &c. Among his best portraits were princess Charlotte, prince Leopold, and queen Caroline, to whom he was appointed portrait Painter in Ordinary; and a large picture containing portraits of the duke of Wellington and about fifty field officers.

24. At Dunham Massey, Cheshire, aged 33, the right hon. George-Harry Grey, of Groby (1603), colonel of the King’s Cheshire Yeomanry Cavalry, F.L.S. and F.H.S.

26. At Holmwood, near Henley, aged 58, the right hon. Charlotte Macdonnell Kerr, countess of Antrim, and viscountess Dunluce, in the peerage of Ireland.

29. At Worthy-park, in the county of Hants, aged 47, much regretted by her family and friends, Eliza, wife of Samuel Wall, esq. She was the second remaining daughter and co-heiress of the late John Binns, esq., banker, of Leeds, Yorkshire.

31. At his house at Dover, aged 71, the right hon. Charles William Bury, Earl of Charleville (1806), and baron Tullamore, of Charleville Forest, King’s County (1797); a Representative peer of Ireland, M.R.I.A., F.R.S., and F.S.A.

Latelly. At Paris, aged 83, M. Pigault Le Brun, author of the history of “Jerome;” “Monsieur Botte;” “Mon Oncle Thomas;” “The Barons de Felsheim;” “Nous les sommes tous,” and many other novels.

NOVEMBER.

1. At Glasgow, in his 38th year, William Motherwell, esq. He was born in the Barony parish of Glasgow. When a youth he obtained a situation in the sheriff’s clerk’s office at Paisley, where he remained till within the few last years of his life. His first appearance in the literary world was in 1819, when he contributed to, and directed a poetical publication entitled the ‘Harp of Renfrewshire.’ From this time he was busily employed in the compilation of a very interesting and valuable collection of ballads, which he published in 1827 under the title ‘Mins-tresly, Ancient and Modern,’ illustrated by an ably written historical introduction, and notes. In 1828 he became editor of the ‘Paisley Magazine’ and ‘Paisley Advertiser;’ and after having conducted the latter journal about two years, he was offered the editorship of the ‘Glasgow Courier,’ which he accepted, and continued to direct to the time of his death. In 1833 was published a collected edition of his Poems, lyrical and narrative; and the same year he contributed a series of papers, called ‘Memoirs of a Paisley Bailie’ to ‘The Day,’ a periodical work then publishing in Glasgow.

1. At Brickworth-house, near Salis-

DEATHS.—Nov.

bury, in his 50th year, the right hon. Thomas Nelson, second earl Nelson, and viscount Merton, of Trafalgar, and of Merton, county of Surrey (1805), third baron Nelson of the Nile, and of Hillborough, county Norfolk (1801). He succeeded to the peerage on the 28th of February preceding.

1. At Manor-place, Walworth, aged 77, Thomas Taylor, esq., "the Platonist." He was born in London, in the year 1758. At an early age he was sent to St. Paul's School, where he acquired the rudiments of classical learning. He was next placed under the care of the rev. Mr. Worthington, of Salters'-hall Meeting-house, to be qualified for the office of a dissenting minister; but troubles arising from an early marriage, disgusting him with his tutor and his vocation, he became an assistant at a boarding-school, and for many years endured patiently the pressure of incessant toil and narrow circumstances. The love of mysticism and metaphysical subtilty, by which he was ever distinguished, was first displayed in an essay on "A new Method for Reasoning on Geometry, 1780," 4to. The metaphysical view of mathematics taken by Mr. Taylor, naturally led him to the study of the old Greek philosophers. He began with Aristotle, and proceeded to Plato, whose sublime speculations at once riveted his affections. While engaged in the study of academic philosophy, he accidentally met with the works of Plotinus, which he read with an insatiable avidity. He next studied the Commentaries of Proclus. The patronage of Messrs. W. and G. Meredith enabled Mr. Taylor to publish the "Orphic Hymns," and some other Platonic fragments in 1787. He next translated "Plotinus on the Beautiful," a work of singular obscurity, and Proclus's "Commentary on Euclid," in which there is much ingenious mathematical research, mingled with the wildest speculations of the Alexandrian school. These were followed by translations of the Platonic Sallust; of the Pythagoric Sentences; some Hymns of Proclus; two Orations of the Emperor Julian; and five books of Plotinus, with very copious notes and illustrations. The most laborious of Mr. Taylor's tasks was a translation of Pausanias, in three volumes, for which he received only sixty pounds! Mr. Taylor's publications extend to twenty-three quarto

and forty octavo volumes. Mr. Taylor was assistant-secretary to the Society of Arts; and with his salary, an annuity of 100*l.* per annum, settled upon him by his friend Mr. W. Meredith, secured him a competence suited to his limited desires.

4. At Taunton, Thomas Phippen, aged 104.

5. In Hanover-street, in his 29th year, Lieut. the Hon. John Forbes, fourth son of General Lord Forbes.

8. At Wentworth House, aged 23, the Right Hon. William Charles Viscount Milton, eldest son of Earl Fitzwilliam, M.P. for Northamptonshire (North). He was elected to Parliament for Malton at the general election of 1832, and succeeded to the representation of Northamptonshire on his father's accession to the Earldom in Feb. 1833.

13. Henry, second son of John Devenport, esq. M.P. for Stoke-upon-Trent. This gentleman was hunting, and on leaping over a stone wall his horse fell and rolled upon him.

— In Salisbury-square, Fleet-street, aged 67, Joseph Bonsor, esq., of Polesden, Surrey. This gentleman was the founder of his own fortune. He was born at Retford, in Nottinghamshire, and served his time to a bookseller and printer in that town. On the expiration of his apprenticeship he came up to London, with a strong recommendation to Mr. Walter, father to the present member for Berkshire, which shortly led to his undertaking to supply the paper on which the "Times" was printed, and which he continued to do for some years. About the year 1796, he commenced business as a wholesale stationer in Salisbury-square, and by continued attention to the concern, as well as by strictly upright, liberal, and honourable conduct, soon placed it amongst the first wholesale houses in the trade.

— Emma-Mary, wife of W. A. Mackinnon, esq. of Newtown Park, M.P. for Lymington.

— At Bawtry, aged 80, the dowager Vicountess Galway.

— At Belvoir castle, in his 54th year, lord Robert William Manners, C.B., major-general in the army, M.P. for North Leicestershire; brother to the Duke of Rutland.

17. At the Pavilion, Hans-place, aged 69, lady Charlotte Denys, only sister to the earl of Pomfret.

DEATHS.—Nov.

19. At Islington, in his 76th year, Charles Coote, esq., D.C.L., an advocate in Doctors' Commons. For some years he edited the "Critical Review," at a time when Dr. Southey, the late Mr. Pinkerton, D'Israeli, and other eminent men, were contributors to it. His first original publication was the "Elements of the Grammar of the English Language," 1788. He next wrote a "History of England, from the earliest dawn of record to the Peace of 1793;" which appeared in nine volumes at different times from 1791 to 1797; to which he afterwards added another volume, bringing down the history to the Peace of Amiens, in 1802. About the beginning of the present century he published a "History of the Union with Great Britain and Ireland." In 1804 appeared his "Lives of English Civilians." The following are the rest of his works:—In 1815, he published the "History of Ancient Europe. *Graii Elegia sepulchralis cultu Græco donata;*" 1794. "Life of Julius Cæsar;" 1796. 12mo. "History of the Union of the Kingdoms." "A Continuation to Russell's History of Modern Europe, from 1763 to the Pacification of Paris, in 1815;" two vols. 1818. The same, continued to 1825; Lond. 1827. "A Continuation of Mosheim's Ecclesiastical History by Maclaine, to the 18th century;" six vols. 8vo. 1811. "History of Ancient Europe; with a Survey of the most important Revolutions in Asia and Africa: being a third volume of Russell's Ancient Europe. 1815.

21. At his residence on the banks of the Yarrow, aged 63, Mr. James Hogg, "the Ettrick Shepherd." He was born in Ettrick Forest, by his own account, on the anniversary of the natal day of Burns, Jan. 25th, 1772, and was the second son of Robert Hogg and Margaret Laidlaw. His father was a Shepherd, "time out of mind;" and having acquired, by long savings, some little property, he entered, shortly after James's birth, upon a farming speculation, which in a few years reduced himself and family to absolute beggary. James, who was at this time about six years of age, had, during his father's brief prosperity, attended a neighbouring school; but the misfortunes with which his family were now beset, made it necessary for him the next year to go out to service as a cowherd, in which situation he continued till the age of fifteen, when he

rose to the more honourable grade of a shepherd's boy. Three years after this (in 1790) he entered the service of Mr. Laidlaw, of Black House, with whom he remained until the year 1800. It was at this place he first read the Life and Adventures of Sir William Wallace, and "Allan Ramsay's Gentle Shepherd;" and in 1796, he first felt the inspiration of the Muse. He tells us, "I had no more difficulty in composing songs then, than I have at present," that is in the latter part of his life. "But then the writing of them—that was a job! I had no method of learning to write than by following the Italian alphabet, and although I always stripped myself of coat and vest, when I began to pen a song, yet my wrist took a cramp, so that I could rarely make above four or six lines at a sitting." About this time he first heard of Robert Burns, who died in 1796, and, with the greatest interest, compared that poet's early history with his own. His ambition was immediately roused. He applied himself with redoubled energy to the art of ballad-writing, though his first published effort, "Donald Macdonald," did not appear till 1801. Several amusing anecdotes relating to this particular ballad have been recorded by the poet, in a volume of his songs recently published. The author's name was, at the time of its production, little known and less inquired into. Mr. Hogg's first prose essay, called "Reflections on a view of the Nocturnal Heavens," was written in 1801, and was the labour of a week. In 1802, he contributed to Sir Walter Scott's "Border Minstrelsy." Encouraged by the success of that undertaking he directly set about collecting and remodelling some traditionary ballads which were published by subscription in a volume called "The Mountain Bard." From this work, and another on the "Cultivation of Sheep," (both which appeared in 1807), he realized about three hundred pounds. Intoxicated with success, he took a farm, which proved beyond his ability to cultivate; and after struggling with fortune for a few years, his means and credit were entirely exhausted. In Feb. 1810, "in utter desperation," he made a resolution to adventure his remaining stock of poetry at Edinburgh; but here he had much difficulty with the booksellers, who would run no risk in publishing his ballads on their own account. At last

DEATHS.—Nov.

Mr. Constable agreed to print an edition, and share the profits with the author, but the speculation turned out badly. The work was called the "Forest Minstrel," and consisted of the poet's early songs, most of them "very different." He next started (1810-11) a periodical paper, entitled "The Spy," for which his little knowledge of society, and very poor education by no means fitted him. The publication lasted about a twelvemonth; but did not gain him any credit. In 1830, Mr. Hogg again made a trial of his poetic powers, and in a few months planned and executed "The Queen's Wake." By this work he obtained upwards of two hundred pounds; the greater part of which, however, was, a short time after, lost by the failure of his publisher, Mr. Goldie, who at the time of the catastrophe, had already a third edition in hand. It was on this occasion he first became acquainted with the late Mr. Blackwood, who was one of Mr. Goldie's assignees, and by his assistance a considerable part of Mr. Hogg's money was in the end preserved. Shortly after appeared a fourth, and even fifth edition of the "Queen's Wake." But he was still miserably poor, when the late Duke of Buccleugh, kindly allowed him to occupy his farm "The Altrive Lake," near the poet's native spot, rent free. Mr. Hogg's next poetical production, which appeared in 1816, was "Madoc of the Moor." The "Pilgrims of the Sun," another poem published in London by Mr. Murray, quickly followed, and met with moderate success. The "Brownie of Bodsbeck," a prose tale, appeared in 1818. His next undertaking was the "Jacobite Relics of Scotland," containing the songs, airs, and legends, of the House of Stewart, but notwithstanding the title, many of the *relics* were *his own*. It was about the same time 1819-20 that his "Winter Evening Tales" made their appearance. In 1820, he married. Having now about a thousand pounds, he was again induced to incur the risks of agricultural pursuits, and again fell into difficulties, his losses in 1822 amounting to upwards of two thousand pounds. This induced him once more to try his fortune as an author, and in a few months was written and published "The Three Perils of Man," a Border Romance, by which he realized about one hundred and fifty pounds, and the next year followed "The Three Perils of Woman," a similar work,

which produced a like sum. In 1824, Mr. Hogg published anonymously a book of "horrors," called "Confessions of a Sinner," which sold tolerably well; and in the next year appeared "Queen Hynde." The "Shepherd's Calendar," a series of tales which had originally appeared in Blackwood's Magazine, was in 1829 presented to the public in a collected form; and, in 1831, he published a pretty little volume, containing some of his earlier and best songs, with a kind of running commentary, critical and biographical. In 1832 was produced the *first* volume of an intended series of traditionary stories, collected among the Altrive peasantry, and entitled "Altrive Tales." The publication was to have extended to about twelve volumes, but was stopped by the failure of his publishers, Messrs. Cochrane and Co. Shortly after this, "A Queer Book" made its appearance, containing twenty-six miscellaneous poems, some of which had appeared in *Blackwood*. In the course of the year 1834, he astonished the world by the publication of a volume of "Lay Sermons," which contain much sound good sense. In 1834, likewise, appeared his "Domestic Manners of Sir Walter Scott."

22. At Twickenham, in the 77th year of her age, Miss Letitia Matilda Hawkins, a lady known to the literary world by various productions.

23. At Badminton, Gloucestershire, after a severe and painful illness, in his 68th year, the most noble Henry Charles Somerset, sixth Duke of Beaufort.

24. Aged 69, the right hon. Eleanora Maria, dowager lady Clifford.

26. At Hampstead, aged 71, William Woods, esq. He was appointed assistant inspector of the Post-office in 1791, and soon after became deputy.

— At Early Court, near Reading, aged 42, the hon. William Scott, only son of lord Stowell.

— Aged 79, John Pemberton Heywood, esq. of Wakefield. He officiated many years as chairman at the West Riding Sessions held at Wakefield and Leeds. He was called to the bar at Lincoln's Inn, April 20, 1780.

29. At Hastings, aged 37, sir Thomas Elmsley Croft, bart. the eldest son that survived of sir Richard Croft, M.D. the sixth baronet, by Margaret, daughter of Dr. Thomas Denman, and sister of the present lord Denman, the lord chief justice.

FINANCE ACCOUNTS

- CLASS I. PUBLIC INCOME.
- II. PUBLIC EXPENDITURE.
- III. DISPOSITION OF GRANTS.

PUBLIC INCOME OF THE UNITED KINGDOM,

HEADS OF REVENUE.	GROSS RECEIPT.	Repayments, Allowances, Discounts, Drawbacks, and Bounties in the Nature of Drawbacks, &c.
ORDINARY REVENUES.	£. s. d.	£. s. d.
Customs	21,118,920 6 5 ³ / ₄	1,010,217 5 3
Excise	16,756,716 10 8 ¹ / ₂	778,960 7 4 ¹ / ₂
Stamps (including Hackney Coach, and Hawkers and Pedlars Licenses).....	7,462,755 4 7	299,571 11 8 ¹ / ₂
Taxes, under the Management of the Commissioners of Stamps and Taxes	4,667,349 13 7 ¹ / ₄	5,005 2 6 ¹ / ₂
Post Office	2,319,980 12 0 ¹ / ₄	110,541 14 11 ³ / ₄
One Shilling in the Pound, and Sixpence in the Pound on Pensions and Salaries, and Four Shillings in the Pound on Pensions	13,719 5 8	.. ..
Crown Lands	354,980 13 4 ¹ / ₄	.. ..
Small Branches of the King's Hereditary Revenue	34,746 7 3 ³ / ₄	.. ..
Surplus Fees of Regulated Public Offices.....	20,080 2 4	.. ..
Poundage Fees, Pells' Fees, Casualties, Treasury Fees, in Ireland ..	3,998 1 11	.. ..
TOTALS of Ordinary Revenues.....	52,753,246 17 11 ³ / ₄	2,204,296 17 10 ¹ / ₄
EXTRAORDINARY RESOURCES.		
Money received from the East-India Company, on account of Retired Pay, Pensions, &c. of his Majesty's Forces serving in the East Indies, per Act 4 Geo. 4, c. 71	60,000 0 0	.. ..
Imprest Monies, repaid by sundry Public Accountants, and other Monies paid to the Public.....	18,912 11 11	.. ..
Money received from the Bank of England on account of Unclaimed Dividends	5,680 7 6	.. ..
TOTALS of the Public Income of the United Kingdom	52,837,839 17 4 ³ / ₄	2,204,296 1 10 ¹ / ₄

FOR THE YEAR 1835.

CLASS IV. UNFUNDED DEBT.

V. PUBLIC FUNDED DEBT.

VI. TRADE AND NAVIGATION.

FOR THE YEAR ENDED 5TH JANUARY, 1835.

NETT RECEIPT within the Year, after deducting REPAYMENTS, &c.	TOTAL INCOME, including BALANCES.	TOTAL Payments out of the Income, in its Progress to the Exchequer.	PAYMENTS into the EXCHEQUER.	BALANCES and BILLS Outstanding on 5th January, 1835	Rate per Cent for which the Gross Receipt was col- lected.
£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
20,108,703 1 2 $\frac{3}{4}$	20,562,484 1 10	1,614,187 7 0	18,402,528 18 7	545,767 16 3	6 6 9 $\frac{1}{2}$
15,977,756 3 4	16,637,701 17 6 $\frac{1}{4}$	1,213,410 5 1	14,892,023 7 7 $\frac{1}{2}$	532,268 4 9 $\frac{3}{4}$	6 9 1 $\frac{3}{4}$
7,163,183 12 10 $\frac{1}{2}$	7,439,684 14 11 $\frac{1}{2}$	181,181 15 5 $\frac{1}{2}$	7,016,726 13 3 $\frac{1}{2}$	241,776 6 2 $\frac{1}{2}$	2 8 6 $\frac{1}{2}$
4,662,344 11 0 $\frac{3}{4}$	4,889,838 11 8	261,518 8 3 $\frac{3}{4}$	4,550,613 10 8 $\frac{1}{2}$	77,706 12 7 $\frac{3}{4}$	5 2 8 $\frac{1}{4}$
2,209,438 17 0 $\frac{1}{2}$	2,380,829 3 9 $\frac{1}{2}$	712,624 7 2 $\frac{1}{2}$	1,490,400 0 0	177,804 16 7	30 0 4
13,719 5 8	14,766 6 9	237 6 $\frac{1}{4}$	14,438 2 3 $\frac{3}{4}$	90 18 2	1 14 6 $\frac{1}{2}$
354,980 13 4 $\frac{1}{4}$	471,863 9 8 $\frac{1}{2}$	337,815 13 0 $\frac{1}{4}$	.. ..	134,047 16 8	12 6 10
34,746 7 3 $\frac{3}{4}$	34,894 15 10 $\frac{3}{4}$	440 1 11	34,454 13 11 $\frac{3}{4}$	.. ..	..
20,080 2 4	20,080 2 4	.. ..	20,080 2 4	.. ..	..
3,998 1 11	3,998 1 11	.. ..	3,998 1 11	.. ..	..
50,548,950 16 1 $\frac{1}{2}$	52,456,141 6 4 $\frac{1}{2}$	4,321,415 4 3 $\frac{1}{2}$	46,425,263 10 9	1,709,462 11 4	6 15 9 $\frac{3}{4}$
60,000 0 0	60,000 0 0	.. ..	60,000 0 0	.. ..	..
..
18,912 11 11	18,912 11 11	.. ..	18,912 11 11	.. ..	..
5,680 7 6	5,680 7 6	.. ..	5,680 7 6	.. ..	..
50,633,543 15 6 $\frac{1}{2}$	52,540,734 5 9 $\frac{1}{2}$	4,321,415 4 3 $\frac{1}{2}$	46,509,856 10 2	1,709,462 11 4	..

PUBLIC EXPENDITURE

Of the United Kingdom, exclusive of the Sums applied to the Reduction of the National Debt in the Year ended 5th January, 1835.

EXPENDITURE.		
<i>Payments out of the Income in its Progress to the Exchequer.</i>	£. s. d.	£. s. d.
Charges of Collection	3,582,635 4 4 $\frac{1}{4}$	
Other Payments	738,779 19 11 $\frac{1}{4}$	
Total Payments out of the Income, in its progress to the Exchequer		4,321,415 4 3 $\frac{1}{2}$
<i>Funded Debt.</i>		
Interest and Management of the Permanent Debt.....	24,158,879 3 11 $\frac{1}{2}$	
Terminable Annuities	3,653,922 12 5 $\frac{3}{4}$	
Total Charge of the Funded Debt, exclusive of £.6,276 6s. 6d. the Interest on Donations and Bequests	27,812,801 16 5 $\frac{1}{4}$	
<i>Unfunded Debt.</i>		
Interest on Exchequer Bills	691,294 2 8	
Civil List	510,000 0 0	28,504,095 19 1 $\frac{1}{4}$
Pensions	502,309 17 5	
Salaries and Allowances	177,780 6 11 $\frac{1}{2}$	
Diplomatic Salaries and Pensions	181,448 0 10 $\frac{1}{2}$	
Courts of Justice	433,609 17 8	
Miscellaneous Charges on the Consolidated Fund	465,004 13 9	
		2,270,152 16 8
Army	6,493,925 4 3 $\frac{1}{2}$	35,095,664 0 0
Navy	4,503,908 13 1	
Ordnance	1,068,223 0 0	
Miscellaneous, chargeable upon annual Grants of Parliament....	2,061,395 4 8 $\frac{1}{2}$	
		14,127,452 2 1
Surplus of Income paid into the Exchequer over Expenditure issued thereout.		49,223,116 2 1
		1,608,155 12 4 $\frac{1}{2}$
		50,831,271 14 5 $\frac{1}{2}$

DISPOSITION OF GRANTS.

An Account showing how the MONIES given for the SERVICE of the United Kingdom of GREAT BRITAIN and IRELAND for the Year 1834, have been disposed of; distinguished under their several Heads; to 5th January 1835.

SERVICES.	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
NAVY	4,578,009	0	0	3,130,000	0	0
ORDNANCE	1,166,914	0	0	417,000	0	0
FORCES	6,497,902	17	10	3,384,752	19	0
To defray the Charge of those Salaries of the Officers of the House of Lords and of the House of Commons, and of Pensions for retired Officers of the two Houses which are paid at the Treasury, and also of the Amount which will be required in aid of the Fee Funds of the two Houses; for the year 1834.	44,500	0	0	43,443	3	8
To defray the expense of the House of Lords and of the House of Commons; in the year 1834	25,000	0	0	25,000	0	0
To make good the Deficiency of the Fee Fund, in the Department of His Majesty's Treasury; to the 31st day of March, 1835	41,000	0	0	33,485	0	0
To make good the deficiency of the Fee Fund, in the Office of His Majesty's Secretary of State for the Home Department; for the same time	10,598	0	0	9,500	0	0
To make good the Deficiency of the Fee Fund, in the Department of His Majesty's Secretary of State for Foreign Affairs; for the same time	13,337	0	0	13,337	0	0
To make good the deficiency of the Fee Fund, in the Department of His Majesty's Secretary of State for the Colonies; for the same time	9,737	0	0	7,500	0	0
To make good the Deficiency of the Fee Fund, in the Department of His Majesty's most Honourable Privy Council and Committee of Privy Council for Trade; for the same time	18,658	0	0	9,346	7	5
To defray the Salary of the Lord Privy Seal; for the same time	2,000	0	0	1,391	6	0

SERVICES— <i>continued</i> .	SUMS Voted or Granted.	SUMS Paid.
	£. s. d.	£. s. d.
To defray the Expenses of Messengers attending the first Lord of the Treasury and Chancellor of the Exchequer, the four Patent Messengers of the Court of Exchequer, and various ancient Allowances to the Officers of that Court	3,700 0 0	1,356 0 8
To make good the Deficiency of the Fees in the Office for the Registrar of Colonial Slaves in Great Britain, for half a year, ending on the 30th day of September 1834	580 0 0	96 6 0
To defray the Charge, to the 31st day of March 1835, of the Salaries and other Expenses of the State Paper Office, the Office for the Custody of Records in the Chapter-House, Westminster	4,366 0 0	2,025 12 10
To defray the Expenses of the Commission for Inquiring into the Practice and Proceedings of the Superior Courts of Common Law; to the Termination of the Commission	800 0 0	800 0 0
To defray the Expense of Printing Acts of Parliament and Bills Reports and other Papers, for the Two Houses of Parliament; to the 31st day of March 1835	56,000 0 0	42,781 1 5
To defray the expense of the Mint in the Coinage of Gold; to the same time ...	10,000 0 0	5,000 0 0
To defray the Expense of the Prosecution of Offences against the Laws relating to Coin; to the same time	8,000 0 0	8,000 0 0
To defray the Expense of Law Charges; to the same time	11,000 0 0	—
To defray the Charge of Civil Contingencies; to the same time	130,000 0 0	117,814 11 8
To enable His Majesty to grant a Gratuity to the Officers, Seamen and Royal Marines of His Majesty's Fleet who were present at the Battle of Navarin, on the 20th day of October, 1827; to be distributed in such manner as His Majesty in Council shall direct	60,000 0 0	60,000 0 0
The following SERVICES are directed to be paid without any Fee or other Deductions whatsoever:		
For defraying the CHARGE of the CIVIL ESTABLISHMENTS undermentioned; viz:		
Of the Bahama Islands; to the 31st day of March 1835	1,940 0 0	700 0 0
Of the Bermuda Islands; for the same time	4,249 13 4	4,249 13 4
Of Prince Edward's Island; to the same time	3,120 0 0	1,200 0 0
On the Western Coast of Africa; to the same time	12,861 13 6	—

SERVICES— <i>continued.</i>	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
To defray the Expense of the Ecclesiastical Establishment of the British North American Provinces ; to the same time ...	14,870	18	6	8,000	0	0
To defray the Expense of the Settlement in Western Australia ; to the same time ...	5,806	5	0	—		
To defray the Expense of the Establishment of the Indian Department in Upper and Lower Canada ; to the same time ...	20,000	0	0	—		
To defray the Estimated Expenditure of the British Museum ; for the year ending at Christmas 1834 ...	17,017	0	0	17,017	0	0
To pay the Allowances and Expenses of the Barristers employed in revising Lists of Voters, under the Act for amending the Representation of the People in England and Wales ...	22,500	0	0	22,500	0	0
For the Purchase of Pictures for the National Gallery ; during the year 1834 ...	11,550	0	0	11,550	0	0
To defray, to the 31st day of March 1835, the Expenses of Works and Repairs of Public Buildings, and for Furniture and other Charges of Public Offices and Departments, for certain Charges for Lighting and Watching, and for the Maintenance and Repairs of Royal Palaces and Works in the Royal Gardens ; heretofore charged on the Civil List ...	42,721	0	0	—		
To defray the Expense of Works and Repairs at the Harbour of Kingstown ; to the 31st day of March 1835 ...	10,000	0	0	3,000	0	0
To complete the Works at Donaghadee Harbour ...	3,742	0	0	3,742	0	0
To defray the Expenses of the Holyhead and Liverpool Roads, and Holyhead and Howth Harbours, for one year, from the 5th day of April 1834 ...	3,922	0	0 ¹	3,922	0	0
To defray the Charge of the New Buildings at the British Museum ; to the 31st day of March, 1835 ...	8,000	0	0	—		
To defray the Expense of Works and alterations at Windsor Castle ; to the same time ...	37,000	0	0	10,000	0	0
To defray, to the 31st day of March 1835, the Expense of erecting a National Gallery ...	13,000	0	0	6,500	0	0
To defray, to the 31st day of March 1835, the Charge of the Repair and Restoration of Westminster Hall ...	17,000	0	0	3,500	0	0
To defray, in the year 1834, the Expense of erecting Revenue Buildings at Bristol ...	6,700	0	0	—		
To defray the Contingent Expenses and Messengers' Bills in the Department of His Majesty's Treasury ; to the 31st day of March 1835 ...	7,500	0	0	6,682	0	0
To defray the Contingent Expenses and Mes-						

SERVICES— <i>continued.</i>	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
Messengers' Bills in the Office of His Majesty's Secretary of State for the Home Department; to the same time	5,695	0	0	3,750	0	0
To defray the Contingent Expenses and Messengers' Bills in the Department of His Majesty's Secretary of State for Foreign Affairs; to the 31st day of March, 1835	39,000	0	0	21,000	0	0
To defray the Contingent Expenses and Messengers' Bills in the Department of His Majesty's Secretary of State for the Colonies; to the same time	7,100	0	0	5,500	0	0
To defray the Contingent Expenses and Messengers' Bills in the Department of His Majesty's Most Honourable Privy Council and Committee of Privy Council for Trade to the same time	2,232	0	0	—		
To defray the Charge of the Salaries and allowances to certain Professors in the Universities of Oxford and Cambridge; to the same time	2,006	0	0	2,006	0	0
To pay the Salaries of the Commissioners of the Insolvent Debtors' Court, and of their Clerks, the Contingent Expenses of the Court and Office, and also the Expenses attendant upon their Circuits; to the same time	12,300	0	0	5,933	1	2
To pay the Salaries of the Officers and the Contingent Expenses of the Office for the Registration of Aliens; to the same time	1,568	0	0	1,000	0	0
To defray the Charge of the Penitentiary at Millbank; to the same time	15,563	0	0	8,128	0	0
To pay, to the 31st day of March 1835, the Salaries and Incidental Expenses of the Commissioners appointed on the part of His Majesty, under the Treaties with Foreign Powers for Preventing the Illegal Traffic in Slaves	16,200	0	0	4,000	0	0
To defray the Charge of the Salaries of the Inspectors and Superintendants of the Factories, under the Act to Regulate the Labour of Children and Young Persons in the Mills and Factories of the United Kingdom; to the 31st day of March 1835	5,709	0	0	5,709	0	0
To defray the Charge of Retired Allowances or Superannuations to Persons formerly employed in the Public Offices or Departments, or in the Public Service; to the same time	58,858	0	0	38,658	18	2
To enable His Majesty to grant Relief, to the 31st day of March 1835, to Toulonese and Corsican Emigrants, Dutch Naval Officers, St. Domingo Sufferers, and American Loyalists and others who have heretofore received Allowances from His Majesty, and						

SERVICES— <i>continued.</i>	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
who for Services performed or Losses sustained in the British Service, have Special Claims on His Majesty's Justice and Liberality	12,230	0	0	6,040	0	0
To defray the Expense of the National Vaccine Establishment; for the year 1834 ...	1,823	0	0	—		
For the Support of the Institution called "The Refuge for the Destitute;" for the year 1834	3,000	0	0	3,000	0	0
To defray the Charge of confining and maintaining Criminal Lunatics; to the 31st day of March, 1835	3,137	5	2	1,493	1	9
To defray, to the 31st day of March 1835, the usual Allowances to Protestant Dissenting Ministers in England, poor French Refugee Laity, poor French Refugee Clergy, and sundry other small Charitable and other Allowances to the Poor of St. Martin's-in-the-Fields, and others	4,990	0	0	2,567	17	0
To defray the Charge of His Majesty's Foreign and other Secret Services; to the 31st day of March 1835	37,600	0	0	24,500	0	0
To defray the Expense of providing Stationery, Printing and Binding for the several Public Departments in England, Ireland, Scotland and the Colonies; to the 31st day of March 1835; and for providing Paper for the Printing which may be ordered in the Session 1835, for the Two Houses of Parliament	131,918	0	0	50,000	0	0
To defray, to the 31st day of March 1835, the Charge of confining, maintaining and employing Convicts at Home and in Bermuda, and in providing Clothing for the Convicts who may probably be transported to New South Wales and Van Diemen's Land	73,662	0	0	36,000	0	0
To defray, to the 31st day of March 1835, the Expenses for the Support of Captured Negroes and Liberated Africans, under the Acts for the Abolition of the Slave Trade...	20,000	0	0	—		
To defray the Charge of Maintaining Convicts at New South Wales and Van Diemen's Land; to the 31st day of March 1835	130,000	0	0	—		
To defray the Expenses incurred under the Direction and Management of the Commissioners of Records; to the same time ...	10,000	0	0	10,000	0	0
To defray, in the year 1834, the Expense of Paying Fees due and payable to the Officers of the Parliament, on all Bills for continuing or amending any Acts for making or maintaining, keeping in Repair or improving Turnpike Roads, which shall pass						

SERVICES— <i>continued.</i>	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
the Two Houses of Parliament and receive the Royal Assent	5,000	0	0	2,907	12	10
To enable His Majesty to issue Money for the Erection of School-houses, in Aid of Private Subscriptions for that purpose, for the Education of the Children of the Poorer Classes in England; to the 31st day of March 1835	20,000	0	0	—		
On Account of the Rideau Canal, and the Canals on the Ottawa; to the same time ...	28,000	0	0	—		
To defray the Charges of the Salaries of the Governors, Lieutenant-Governors and others in His Majesty's West India Colonies; to the 31st day of March, 1835. ...	16,667	0	0	10,000	0	0
To defray, to the 31st day of March, 1835, the Salaries to the Special Justices appointed by virtue of an Act of the 3rd and 4th years of His present Majesty, for the Abolition of Slavery in the British Colonies	30,000	0	0	30,000	0	0
To pay the Salaries of Seven Agents for Emigration at Ports in the United Kingdom; to the 31st day of March 1835	1,457	15	0	1,457	15	0
To enable His Majesty to make a Grant to Captain Ross	5,000	0	0	5,000	0	0
To pay the Salaries of His Majesty's Consuls-General, Consuls and Vice-Consuls, and also of the Contingent Expenses connected with the Public Duties of such Consuls-General, Consuls, Vice-Consuls and Superintendents of Trade at Canton; to the 31st day of March 1835	95,486	0	0	26,544	14	9
To defray, to the 31st day of March 1835, Law Expenses, Grants to the Scottish Universities, and other Charges in Scotland, formerly defrayed from the Hereditary Revenues, and not provided for on His Majesty's Civil List, nor on the Consolidated Fund	54,800	0	0	5,913	7	8
To enable His Majesty to deposit and place in the British Museum, the Collection of Egyptian Antiquities, now the property of Mr. J. Sams	2,500	0	0	2,500	0	0
To enable His Majesty to issue Money for the Erection of School-houses, in aid of Private Subscriptions for that Purpose, for the Education of the Children of the Poorer Classes in certain great Towns in Scotland, and for the Erection of Model Schools in England; to the 31st day of March 1835 ...	10,000	0	0	—		
To pay to the East India Company the Amount due under the Authority of an Act of the 33rd year of the reign of King George the Third, being the Difference						

SERVICES— <i>continued.</i>	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
between the Par Value and the Market Value on the 22nd day of April 1834 of the Amount of Consolidated East India Annuities, which stood in the name of the Company on that day	125,284	6	6	125,284	6	6
To defray the Charge of the Civil and Military Establishments of the Island of St. Helena; to the 22nd day of April 1835	99,000	0	0	40,000	0	0
To defray, in the year 1834, the Expenses of the Commissioners appointed to Inquire into the existing State of the Municipal Corporations in Great Britain and Ireland	24,900	0	0	18,750	0	0
To enable His Majesty to grant Relief to the distressed Poles now in this Country ...	10,000	0	0	7,804	12	0
To enable His Majesty to make a Grant to the Baptist Missionary Society, and to the Wesleyan Missionary Society, on account of Expenses incurred in the Erection of certain Chapels destroyed in the Island of Jamaica	12,750	0	0	12,750	0	0
To enable His Majesty to direct that Trial may be made of an Experiment to Communicate with India by Steam Navigation...	20,000	0	0	—		
For the Purchase of the Collection of Fossil Organic Remains, the Property of Mr. Thomas Hawkins; to be deposited in the British Museum	1,310	5	0	1,310	5	0
To defray the Charge of preparing Prison Buildings at Dartmoor	7,000	0	0			
For defraying the CHARGE of the following SERVICES in IRELAND :						
To enable the Lord Lieutenant of Ireland to issue Money for the Advancement of Education in Ireland; to the 31st day of March 1835	20,000	0	0	20,000	0	0
To defray the Expense of the Foundling Hospital in Dublin; to the same time ...	18,919	0	0	10,000	0	0
To defray the Expense of the House of Industry in Dublin, the Lunatic Department, and the Three General Hospitals attached; to the same time	20,000	0	0	15,000	0	0
To defray the Expense of the Hibernian Marine Society; to the same time	400	0	0	400	0	0
To defray the Expense of the Female Orphan House; to the 31st day of March 1835	1,000	0	0	1,000	0	0
To defray the Expense of the Westmorland Lock Hospital; to the same time	2,500	0	0	2,000	0	0
To defray the Expense of the Lying-in Hospital, Dublin; to the same time	1,200	0	0	600	0	0

SERVICES— <i>continued.</i>	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
To defray the Expense of Dr. Stevens's Hos- pital ; to the same time	1,500	0	0	1,500	0	0
To defray the Expense of the Fever Hospital and House of Recovery, Cork-street, Dublin ; to the same time	3,800	0	0	3,800	0	0
To defray the Expense of the Hospital for Incurables, near Dublin ; to the same time	500	0	0	500	0	0
To defray the Expense of the Roman Catholic College in Ireland ; to the same time ...	8,978	0	0	4,464	0	0
To defray the Expense of the Royal Dublin Society ; to the same time	5,300	0	0	3,000	0	0
To defray the Expense of the Royal Irish Academy ; to the same time	300	0	0	300	0	0
To defray the Expense of the Royal Hibernian Academy for Painting and the Fine Arts ; to the same time	300	0	0	300	0	0
To defray the Expense of the Royal Belfast Academical Institution ; to the same time	3,500	0	0	—		
To enable the Lord Lieutenant of Ireland to issue Money for the Advancement of Edu- cation to the same time	15,000	0	0	—		
On Account of the Expense of Criminal Pro- secutions in Ireland, being the Sum re- quired to defray the Charge of Arrears of Expenses incurred beyond the Amount of Grant ; to the 31st day of March 1834 ...	78,500	0	0	45,258	9	2
To defray the Expense of the Commissioners of Charitable Donations and Bequests in Ireland ; to the 31st day of March 1835 ...	700	0	0	—		
To defray the Expenses of repairing and main- taining the several Public Buildings in the Department of the Commissioners of Public Works in Ireland ; to the same time ...	13,000	0	0	—		
To pay the Salaries and Expenses of the Offices of the Chief Secretary to the Lord Lieutenant of Ireland, in Dublin and London, and His Majesty's Privy Council Office in Ireland ; also the Amount of His Majesty's Printer's Bill for Printing for the Public Offices in Ireland ; to the same time	22,000	0	0	14,223	1	1
To defray the Charge of Salaries for the Officers and Attendants of the Household of the Lord Lieutenant of Ireland, and certain other Officers, and Services formerly charged on the Civil List in Ireland ; to the same time	12,232	0	0	8,737	1	3
To defray the Charge of the Offices of the Vice Treasurer and Teller of the Exche- quer in Ireland ; to the same time ...	6,827	0	0	5,123	9	9
To defray the Expense of publishing Pro- clamations, &c. in the Dublin Gazette,						

SERVICES— <i>continued.</i>	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
and Proclamations for Circulation, and for Printing the Statutes; to the 31st day of December, 1834	4,100	0	0	599	19	0
To defray the Expense of Non-conforming, Seceding and Protestant Dissenting Ministers in Ireland; to the 31st day of March 1835	25,100	0	0	12,545	18	7
To defray the Charge of Criminal Prosecutions, &c. in Ireland: to the same time ...	60,000	0	0	40,000	0	0
In aid of the Funds for the maintenance of the Police Departments in Dublin; to the same time	7,000	0	0	7,000	0	0
To defray the Expense of Public Works in Ireland; to the same time	3,565	0	0	2,465	0	0
For the Repairs of Dunmore Harbour; to the same time	5,473	0	0	3,000	0	0
To defray the Expense of the Townland Survey of Ireland; to the same time	3,000	0	0	3,000	0	0
To pay the Annual Compensation awarded to Sir Abraham Bradley King, late King's Stationer in Ireland, for losses sustained by him by the Revocation of his Patent ...	2,500	0	0	2,500	0	0
To defray the Cost of finishing the several portions of Roads in the Counties of Galway and Mayo, as proposed to be completed by the Board of Public Works ...	13,000	0	0	2,000	0	0
To pay off and discharge Exchequer Bills, and that the same be issued and applied towards paying off and discharging any Exchequer Bills charged on the Aids or Supplies of the years 1833 or 1834, now remaining unpaid and unprovided for	£.	s.	d.	14,479,542	19	10
	27,752,650	0	0	8,144,017	13	2
To pay off and discharge Exchequer Bills issued pursuant to several Acts for carrying on Public Works, Building Additional Churches, and for the Relief of Persons who have sustained Losses in the West Indies, outstanding and unprovided for	632,050	0	0	28,384,700	0	0
				27,832,050	0	0
				42,864,242	19	10
				35,976,067	13	2

PAYMENTS FOR OTHER SERVICES,

Not being part of the Supplies granted for the Service of the Year.

	Sums Paid to 5th January 1835.			Estimated further Payments.		
	£.	s.	d.	£.	s.	d.
Grosvenor Charles Bedford, Esq. on his Salary, for additional trouble in preparing Exchequer Bills, pursuant to Act 48 Geo. 3, c. 1	100	0	0	Nil.		
Expenses in the Office of the Commissioners for issuing Exchequer Bills, pursuant to Acts 57 Geo. 3, c. 34 and 124, and 3 Geo. 4, c. 86	2,000	0	0	—		
Expenses in the Office of the Commissioners for building additional Churches, pursuant to Act 58 Geo. 3, c. 45	3,000	0	0	—		
By Interest on Exchequer Bills :	636,417	10	6	—		
TOTAL Payments for Services not voted	641,517	10	6			
TOTAL Grants	42,864,242	19	10			
TOTAL Grants and Payments for Services not voted...	43,505,760	10	4			

WAYS AND MEANS

for answering the foregoing Services :

	£.	s.	d.
Sums to be brought from the Consolidated Fund, per Act 4 Will. 4, c. 12	7,000,000	0	0
- - - - Ditto - - - 4 & 5 Will. 4, c. 84	4,250,000	0	0
East India Company, per Act 4 Will. 4, c. 2	60,000	0	0
Duty on Sugar - - - - 5	3,000,000	0	0
Repayments by the Commissioners for issning Exchequer Bills for carrying on Public Works and Fisheries in the United Kingdom	237,000	0	0
Surplus of Ways and Means, per Act 4 & 5 Will. 4, c. 84	562,162	11	3½
Unclaimed Dividends, after deducting Repayments to the Bank of England for deficiency of Balance in their hands	7,952	15	2
	15,117,115	6	5½
Exchequer Bills voted in Ways and Means; viz.			
4 Will. 3, c. 3	£14,000,000	0	0
4 & 5 Will. 4, c. 58	14,384,700	0	0
	28,384,700	0	0
TOTAL Ways and Means	43,501,815	6	5½
TOTAL Grants and Payments for Services not voted	43,505,760	10	4
Deficiency Ways and Means	3,945	3	10½

UNFUNDED DEBT.

AN Account of the UNFUNDED DEBT of GREAT BRITAIN and IRELAND, and of the Demands outstanding on 5th January, 1835.

	Provided.			Unprovided.			TOTAL.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
Exchequer Bills, (exclusive of £.32,501 1s. 4d. issued for paying off £ 4 per cents)	-	-	-	28,521,550	0	0	28,521,550	0	0
Sums remaining unpaid, charged upon Aids granted by Parliament ...	6,445,604	5	10 $\frac{1}{4}$	-	-	-	6,445,604	5	10 $\frac{1}{4}$
Advances made out of the Consolidated Fund in Ireland, towards the Supplies which are to be repaid to the Consolidated Fund, out of the Ways and Means in Great Britain ...	465,441	10	5	-	-	-	465,441	10	5
Total Unfunded Debt, and Demands outstanding ...	6,911,045	16	3 $\frac{1}{4}$	28,521,550	0	0	35,432,595	16	3 $\frac{1}{4}$
Ways and Means ...	7,301,026	8	10 $\frac{1}{2}$	-	-	-	-	-	-
SURPLUS Ways and Means ...	389,980	12	7 $\frac{1}{4}$	-	-	-	-	-	-
Exchequer Bills to be issued to complete the Charge upon the Consolidated Fund at 5th January 1835	-	-	-	5,304,807	19	10	5,304,807	19	10

PUBLIC

Of GREAT BRITAIN and IRELAND, and the
DEBT.

	1. CAPITALS.	2. CAPITALS transferred to the Commissioners.	3. CAPITALS UNREDEEMED.
GREAT BRITAIN.			
Debt due to the South Sea } at £. 3 per cent Company	£. s. d. 3,662,784 8 6½	£. s. d. - - -	£. s. d. 3,662,784 8 6½
Old South Sea Annuities Do.	3,497,870 2 7	- - -	3,497,870 2 7
New South Sea Annuities Do.	2,460,830 2 10	- - -	2,460,830 2 10
South Sea Annuities, 1751 Do.	523,100 0 0	- - -	523,100 0 0
Debt due to the Bank of England Do.	11,015,100 0 0	- - -	11,015,100 0 0
Bank Annuities, created in 1726.. Do.	849,144 0 0	1,171 1 9	847,972 18 3
Consolidated Annuities..... Do.	347,074,590 1 4½	765,502 17 1	346,309,087 4 3¼
Reduced Annuities..... Do.	123,504,319 14 4	866,283 2 7	122,638,036 11 9
Total at £. 3 per cent..	492,587,738 9 7¾	1,632,957 1 5	490,954,781 8 2¾
Annuities at £. 3½ per cent. 1818..	11,246,057 12 1	1,321 4 7	11,244,736 7 6
Reduced Annuities do.	61,932,513 6 5	9,049 19 9	61,923,463 6 8
New 3½ per cent Annuities	147,184,281 0 10	7,888 2 3	147,176,392 18 7
New £. 5 per cent Annuities	440,890 13 4	- - -	440,890 13 4
Great Britain.....	713,391,481 2 3¾	1,651,216 8 0	711,10,264 14 3¾
IN IRELAND.			
Irish Consolidated £. 3 per cent Annuities.	2,341,250 13 7	- - -	2,341,250 13 7
Irish Reduced £. 3 per cent Annuities	140,683 2 8	- - -	140,683 2 8
£. 3½ per cent Debentures and Stock	14,147,338 4 11	- - -	14,147,338 4 11
Reduced £. 3½ per cent Annuities	1,117,931 3 9	- - -	1,117,931 3 9
New 3½ per cent Annuities	11,550,401 11 11	- - -	11,550,401 11 11
Debt due to the Bank of Ireland, at £. 4 per cent	1,615,384 12 4	- - -	1,615,384 12 4
New £. 5 per cent Annuities	6,661 1 0	- - -	6,661 1 0
Debt due to the Bank of Ireland, at £. 5 per cent	1,015,384 12 4	- - -	1,015,384 12 4
Ireland.....	31,935,035 2 6	- - -	31,935,035 2 6
Total United Kingdom.....	745,326,516 4 9¾	1,651,216 8 0	743,675,299 16 9¾

The Act 10 Geo. IV. c. 27, which came into operation at the 5th July, 1829, enacts, That the Sum thenceforth annually applicable to the Reduction of the National Debt of the United Kingdom, shall be the Sum which shall appear to be the amount of the whole actual annual surplus Revenue, beyond the Expenditure of the said United Kingdom; And the following Sums have been accordingly received by the Commissioners to be applied to the reduction of the said Debt, including Sums on account of Donations and Bequests, viz.:—

ON ACCOUNT OF

	The Sinking Fund.	Donations and Bequests.
Applicable between	£. s. d.	£. s. d.
5th April and 5th July, 1834	378,270 17 10	3 6 7
5th July and 10th October, 1834	488,090 7 5	3,195 3 6
10th October, 1834, and 5th January, 1835	544,257 8 8	1,003 9 5
5th January and 5th April, 1835.....	334,437 3 0	3,225 8 8
	1,745,055 16 11	7,427 8 2

FUNDED DEBT.
CHARGE thereupon, at the 5th January, 1835.
CHARGE.

		IN GREAT BRITAIN.			IN IRELAND.			TOTAL ANNUAL CHARGE	
		£.	s.	d.	£.	s.	d.	£.	
Due to the Public Creditor.	Annual Interest on Unredeemed Capital	22,462,748	14	4	1,128,724	3	4		
	Long Annuities, expire 1860	1,192,499	2	4	73	19	3		
	Annuities per 4 Geo. 4, c. 22, do. 1867	585,740	0	0	—				
	Annuities per 10 Geo. 4, c. 24, and 3 Will. 4 c. 14. do. expire at various periods	1,273,153	7	0	—				
	Annuities to the Trustees of the Waterloo Subscription Fund, per 59 Geo. 3, c. 34, expire 5th July, 1835	4,000	0	0	—				
	Payable at the National Debt Office.	Life Annuities per 48 Geo. 3, c. 142, and 10 Geo. 4, c. 24, and 3 Will. 4, c. 14.			—				
		Tontines and other Life Annuities per various Acts. } English ..			—				
		Irish ..			6,823	7	3		
		26,484,628	10	10½	1,135,621	9	10		
	Annual Interest on Stock transferred to the Commissioners for the Reduction of the National Debt, towards the Redemption of Land Tax, under Schedules C. D. 1 and D 2, 53 Geo. 3, c. 123	12,029	15	1½	—				
Management		151,174	19	6¾	—				
Total Annual Charge		26,647,883	5	6½	1,135,621	9	10	27,783,454	15 4½

ABSTRACT.

(* * Shillings and Pence omitted.)

	CAPITALS.	CAPITALS transferred to the Commissioners	CAPITALS unredeemed.	ANNUAL CHARGE.		
				Due to the Public Creditor	Management.	TOTAL.
	£.	£.	£.	£.	£.	£.
Great Britain ..	713,391,481	1,651,216	711,740,264	26,484, 628	151,174	26,647,833
Ireland	31,935,035	—	31,935,035	1,147, 651	—	1,135,621
	745,326,516	*1,651,216	743,675,299	27,632,279	151,174	27,738,454

		£.	s.	d.	DEFERRED ANNUITIES OUTSTANDING:		£.	s.	d.
* On account of Donations and Bequests		216,371	10	9	Deferred Life Annuities, per 10 Geo. 4, c. 24 and 3 Will. 4, c. 14.		3,826	14	0
Do. of Stock unclaimed 10 years or upwards		254,253	0	0	Deferred Annuities for terms of years, per do.		20	0	0
Do. of Unclaimed Dividends		779,600	0	0	Payable to the Trustees of the Waterloo Fund, per { — 1836..		9,000	0	0
		1,250,224	10	9	{ — 1837..		2,900	0	0
Do. of Land Tax, Schedules C. D 1; and D 2.		400,991	17	3	59 Geo. 3, c. 34.				
Total Stock transferred to and standing in the Names of the Commissioners on the 5th January 1835		1,651,216	8	0			15,746	14	0

TRADE OF THE UNITED KINGDOM.

AN Account of the VALUE of IMPORTS into, and of EXPORTS from, the United Kingdom of GREAT BRITAIN and IRELAND:—Also, the Amount of the Produce and Manufactures of the United Kingdom Exported therefrom, according to the Real or Declared Value thereof.

YEARS ending 5th January.	VALUE OF IMPORTS, calculated at the Official Rates of Valuation.	VALUE OF EXPORTS, calculated at the Official Rates of Valuation.			VALUE of the Produce and Manufactures of the United Kingdom Exported therefrom, according to the Real or Declared Value thereof.
		Produce and Manufactures of the United Kingdom.	Foreign and Colonial Merchandise.	TOTAL EXPORTS.	
		£. s. d.	£. s. d.	£. s. d.	£. s. d.
1833.....	44,586,241 15 0	65,026,702 11 0	11,044,869 17 0	76,071,572 8 0	36,444,524 18 7
1834.....	45,952,551 6 5	69,989,339 13 8	9,833,753 10 2	79,823,093 3 10	39,667,347 8 5
1835.....	49,362,811 8 0	73,831,550 15 4	11,562,036 11 3	85,393,587 6 7	41,649,191 9 6

NEW VESSELS BUILT.—Number of VESSELS, with the Amount of their TONNAGE, that were built and registered in the several Ports of the BRITISH EMPIRE, in the Years ending the 5th January 1833, 1834, and 1835, respectively.

	Year ending 5th Jan. 1833.		Year ending 5th Jan. 1834.		Year ending 5th Jan. 1835.	
	Vessels.	Tonnage.	Vessels.	Tonnage.	Vessels.	Tonnage.
United Kingdom.....	733	90,180	711	89,212	780	100,367
Isles Guernsey, Jersey, and Man	26	2,735	17	2,959	26	2,343
British Plantations	386	43,397	431	52,476	554	45,411
TOTAL	1,145	136,312	1,159	144,647	1,160	148,121

Note.—The Account rendered for the Plantations for the year ending 5th January 1834, is now corrected ; and as several Returns from the Plantations are not received for the last year, a similar correction will be necessary when the next Account is made up.

VESSELS REGISTERED.—An Account of the Number of VESSELS, with the Amount of their TONNAGE, and the Number of MEN and Boys usually employed in Navigating the same, that belonged to the several Ports of the BRITISH EMPIRE, on the 31st of December, in the Years 1832, 1833, and 1834, respectively.

	On 31st Dec. 1832.			On 31st Dec. 1833.			On 31st Dec. 1834.		
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
United Kingdom	19,143	2,225,980	134,588	19,158	2,233,855	136,250	19,447	2,274,702	138,265
Isles Guernsey, Jersey, & Man.	521	35,880	3,844	531	37,446	3,839	528	37,653	3,761
British Plantations	4,771	356,208	23,202	4,696	363,276	23,911	5,080	403,745	26,035
TOTAL	24,435	2,618,068	161,634	24,385	2,634,577	164,000	25,055	2,715,100	168,061

NAVIGATION OF THE UNITED KINGDOM—continued.

VESSELS EMPLOYED IN THE FOREIGN TRADE.—An Account of the Number of VESSELS, with the Amount of their TONNAGE, and the Number of MEN and BOYS employed in Navigating the same (including their repeated Voyages), that entered Inwards and cleared Outwards, at the several Ports of the United Kingdom, from and to Foreign Parts, during each of the Three Years ending 5th January, 1835.

YEARS ending 5th January.	SHIPPING ENTERED INWARDS IN THE UNITED KINGDOM, From Foreign Parts.								
	BRITISH AND IRISH VESSELS.			FOREIGN VESSELS.			TOTAL.		
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
1833	13,372	2,185,980	122,594	4,546	639,979	35,399	17,918	2,825,959	157,993
1834	13,119	2,183,814	120,495	5,505	762,085	41,996	18,624	2,945,899	162,491
1835	13,903	2,298,263	126,727	5,894	833,905	45,897	19,797	3,132,168	172,624

YEARS ending 5th January.	SHIPPING CLEARED OUTWARDS FROM THE UNITED KINGDOM, To Foreign Parts.								
	BRITISH AND IRISH VESSELS.			FOREIGN VESSELS.			TOTAL.		
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
1833	13,292	2,229,269	128,293	4,391	651,223	34,834	17,683	2,880,492	163,127
1834	13,266	2,244,274	125,474	5,250	758,601	40,014	18,516	3,002,875	165,488
1835	13,639	2,296,325	129,504	5,823	852,827	45,829	19,462	3,149,152	175,333

LIST OF THE GENERAL ACTS.

Passed in the FIRST Session of the TWELFTH Parliament of the United Kingdom of Great Britain and Ireland—V & VI Gul. IV.

V & VI WILL. IV.

- I. AN Act to explain an Act of the First Year of his present Majesty, for the more effectual administration of Justice in England and Wales, so far as relates to the Execution of criminals in the county of *Chester*.
- II. An Act to amend an Act of the Thirty-eighth Year of King *George the Third*, for preventing the Mischiefs arising from the printing and publishing Newspapers, and Papers of a like Nature, by Persons not known, and for regulating the Printing and Publication of such Papers in other respects; and to discontinue certain Actions commenced under the Provisions of the said Act.
- III. An Act to apply certain Sums to the Service of the Year One thousand eight hundred and thirty-five.
- IV. An Act for raising the Sum of Fifteen Millions by Exchequer Bills, for the Service of the Year One thousand eight hundred and thirty-five,
- V. An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.
- VI. An Act to indemnify the Governor-General and other Persons in respect of certain Acts done in the Administration of the Government of the *British Territories* in the *East Indies* subsequent to the Twenty-second Day of *April* One thousand eight hundred and thirty-four, and to make those Acts valid.
- VII. An Act for the Regulation of His Majesty's Royal Marine Forces while on Shore.
- VIII. An Act for the more effectual Abolition of Oaths and Affirmations taken and made in various Departments of the State, and to substitute Declarations in lieu thereof; and for the more entire suppression of voluntary and extrajudicial Oaths and Affidavits.
- IX. An Act to apply a Sum of Eight Millions, out of the Consolidated Fund, to the Service of the Year One thousand eight hundred and thirty-five.
- X. An Act to allow, until the Twenty-eighth Day of *July* One thousand eight hundred and thirty-five, the Importation of certain Articles, Duty-free, into the Island of *Dominica*, and to indemnify the Governor and others for having permitted the Importation of such Articles Duty-free.
- XI. An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and for extending the Time limited for those Purposes respectively until the Twenty-fifth Day of *March* One thousand eight hundred and thirty-six; to permit such Persons in *Great Britain* as have omitted to make and file Affidavits of the Execution of Indentures of Clerks to Attornies and Solicitors to make and file the same on or before the First Day of *Hilary Term* One thousand eight hundred and thirty-six; and to allow Persons to make and file such Affidavits, although the Persons whom they served shall have neglected to take out their Annual Certificates.
- XII. An Act for continuing to His Majesty, until the Fifth Day of *July* One thousand eight hundred

and thirty-six, certain Duties on Sugar imported into the United Kingdom, for the Service of the Year One thousand eight hundred and thirty-five.

II. An Act to regulate the Importation of Corn into the *Isle of Man*.

XIV. An Act to continue to the Thirty-first Day of *December* One thousand eight hundred and thirty-six, and from thence to the End of the then next Session of Parliament, an Act of the Tenth Year of His late Majesty's Reign, for providing for the Government of His Majesty's Settlements in *Western Australia* on the Western Coast of *New Holland*.

XV. An Act to continue until the Thirty-first Day of *May* One thousand Eight hundred and thirty-eight, and to the End of the then next Session of Parliament, the Allowances of the Duty of Excise on Soap used in certain Manufactures.

XVI. An Act for altering and amending the Law regarding Commitments by Courts of Equity for Contempts, and the taking Bills *pro confesso*, in *Ireland*.

XVII. An Act to extend to *Ireland* certain Provisions of an Act made and passed in the First Year of His present Majesty's Reign, intituled *An Act for consolidating and amending the Laws relating to Property belonging to Infants, Females Covert, Lunatics, and Persons of unsound Mind*.

XVIII. An Act to exempt Carriages carrying Manure from Toll.

XIX. An Act to amend and consolidate the Laws relating to the Merchant Seamen of the United Kingdom, and for forming and maintaining a Register of all the Men engaged in that Service.

XX. An Act to consolidate certain Offices in the Collection of the Revenues of Stamps and Taxes, and to amend the Laws relating thereto.

XXI. An Act to amend and alter an Act of the Fifty-ninth Year of

His late Majesty King *George* the Third, for vesting in Commissioners the Line of Road from *Shrewsbury* in the County of *Salop* to *Bangor Ferry* in the County of *Carnarvon*; and for discharging the Trustees under several Acts of the Seventeenth, Twenty-eighth, Thirty-sixth, Forty-first, Forty-second, Forty-seventh, and Fiftieth Years of His then present Majesty, from the future Repair and Maintenance thereof, and for repealing so much of the said Acts as affects the said Line of Road.

XXII. An Act to continue for Three Years, and from thence to the End of the then next Session of Parliament, Two Acts of the Second and Third Year and the Third and Fourth Year of His present Majesty, relating to the Care and Treatment of Insane Persons in *England*.

XXIII. An Act for the Establishment of Loan Societies in *England* and *Wales*; and to extend the Provisions of the Friendly Societies Acts to the Islands of *Guernsey*, *Jersey*, and *Man*.

XXIV. An Act for the Encouragement of the voluntary Enlistment of Seamen, and to make Regulations for more effectually manning His Majesty's Navy.

XXV. An Act to extend the Accommodation by the Post to and from Foreign Parts, and for other Purposes relating to the Post Office.

XXVI. An Act for the Appointment of convenient Places for the holding of Assizes in *Ireland*.

XXVII. An Act to continue and amend certain Regulations for the Linen and Hempen Manufactures in *Ireland*.

XXVIII. An Act for removing Doubts as to the Declaration to be made and Oaths to be taken by Persons appointed to the Office of Sheriff of any City or Town being a County of itself.

XXIX. An Act for investing in Government Securities a Portion of the Cash lying unemployed in the Bank of *England* belonging to

Bankrupts Estates, and applying the Interest thereon in discharge of the Expenses of the Court of Bankruptcy, and for the Relief of the Suitors in the said Court; and for removing Doubts as to the Extent of the Powers of the Court of Review and of the Subdivision Courts.

XXX. An Act for protecting the Revenues of vacant Ecclesiastical Dignities, Prebends, Canonries, and Benefices without Cure of Souls, and for Preventing the Lapse thereof, during the pending Inquiries respecting the State of the Established Church in *England* and *Wales*.

XXXI. An Act to give Effect and Validity to certain Contracts and Presentments for repairing and keeping in repair certain Public Roads in *Ireland* and the Sureties entered into for the Execution thereof.

XXXII. An Act to impose certain Duties on Tea.

XXXIII. An Act for preventing the vexatious Removal of Indictments into the Court of King's Bench; and for extending the Provisions of an Act of the Fifth Year of King *William* and *Mary*, for preventing Delays at the Quarter Sessions of the Peace, to other Indictments; and for extending the Provisions of an Act of the Seventh Year of King *George* the Fourth, as to taking Bail in Cases of Felony.

XXXIV. An Act to amend Two clerical Errors contained in an Act passed in the Ninth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in Ireland relative to Larceny and other Offences connected therewith*.

XXXV. An Act for consolidating the Offices of Paymaster-General, Paymaster and Treasurer of *Chelsea* Hospital, Treasurer of the Navy, and Treasurer of the Ordnance.

XXXVI. An Act to limit the Time of taking the Poll in Boroughs at contested Elections of Members

to serve in Parliament to One Day.

XXXVII. An Act for the further Reduction of the Militia Staff, and to suspend the Ballot for the Militia.

XXXVIII. An Act for effecting greater Uniformity of Practice in the Government of the several Prisons in *England* and *Wales*; and for appointing Inspectors of Prisons in *Great Britain*.

XXXIX. An Act to exempt certain Retailers of Spirits to a small Amount from the additional Duties on Licences; and to discontinue the Excise Survey on Wine, and the Use of Permits for the Removal thereof.

XL. An Act to provide for the better Collection of the Duties on Wood the Produce of Places in *Europe*.

XLI. An Act to amend the Law relating to Securities given for Considerations arising out of gaming, usurious, and certain other illegal Transactions.

XLII. An Act to authorize the granting of Superannuation Allowances to the Commissioners and Officers of the Courts for the Relief of Insolvent Debtors.

XLIII. An Act for enlarging the Powers of Magistrates in the Appointment of Special Constables.

XLIV. An Act for raising the Sum of Thirteen millions five hundred twenty-one thousand five hundred and fifty Pounds by Exchequer Bills, for the Service of the Year One thousand eight hundred and thirty-five.

XLV. An Act to carry into further Execution the Provisions of an Act passed in the Third and Fourth Years of His present Majesty, for compensating Owners of Slaves upon the Abolition of Slavery.

XLVI. An Act to amend, until the End of the next Session of Parliament, an Act of the Second Year of His present Majesty, for making Provision for the Dispatch of the Business now done by the Court of Exchequer in *Scotland*.

XLVII. An Act to repeal so much

of an Act passed in the Third and Fourth Years of His present Majesty as relates to the Amount of the Salary granted to the Clerk of the Crown in Chancery; and to make other Provisions in relation to the said Office.

XLVIII. An Act for the better Prevention and more speedy Punishment of Offences endangering the Public Peace in *Ireland*.

XLIX. An Act for continuing, until the First Day of *June* One thousand eight hundred and thirty-seven, the several Acts for regulating the Turnpike Roads in *Great Britain* which will expire on the First Day of *June* One thousand eight hundred and thirty-six or with the next Session of Parliament.

L. An Act to consolidate and amend the Laws relating to Highways in that part of *Great Britain* called *England*.

LI. An Act for granting Relief to the Island of *Dominica*; and to amend an Act of the Second and Third Years of His present Majesty, for enabling His Majesty to direct the Issue of Exchequer Bills to a limited Amount for the Purposes therein mentioned.

LII. An Act to authorize the Court of Directors of the *East India* Company to suspend the Execution of the Provisions of the Act of the Third and Fourth *William* the Fourth, Chapter Eighty-five, so far as they relate to the Creation of the Government of *Agra*.

LIII. An Act to repeal an Act of the Ninth Year of His late Majesty for regulating the Carriage of Passengers in Merchant Vessels from the United Kingdom to the *British* Possessions on the Continent and Islands of *North America*; and to make further Provision for regulating the Carriage of Passengers from the United Kingdom.

LIV. An Act to render certain Marriages valid, and to alter the Law with respect to certain voidable Marriages.

LV. An Act for facilitating the appointment of Sheriffs in *Ireland*, and

the more effectual Audit and passing of their accounts; and for the more speedy Return and Recovery of Fines, Fees, Forfeitures, Recognizances, Penalties, and Deodands; and to abolish certain Offices in the Court of Exchequer in *Ireland*; and to amend the Laws relating to Grants in custodiam and Recovery of Debts in *Ireland*; and to amend an Act of the Second and Third Years of his present Majesty, for transferring the Powers and Duties of the Commissioners of Public Accounts in *Ireland* to the Commissioners for auditing the Public Accounts of *Great Britain*.

LVI. An Act to regulate the Admeasurement of the Tonnage and Burthen of the Merchant Shipping of the United Kingdom.

LVII. An Act to extend to *Scotland* certain Provisions of an Act of the Ninth Year of His late Majesty, to consolidate and amend the Laws relating to Savings Banks; and to consolidate and amend the Laws relating to Savings Banks in *Scotland*.

LVIII. An Act to amend the Acts relating to the Hereditary Land Revenues of the Crown in *Scotland*.

LIX. An Act to consolidate and amend the several Laws relating to the cruel and improper Treatment of Animals, and the Mischiefs arising from the driving of Cattle, and to make other Provisions in regard thereto.

LX. An Act for carrying into effect a Treaty with the King of the *French* and the King of *Sardinia* for suppressing the Slave Trade.

LXI. An Act for carrying into effect a Treaty with the King of the *French* and the King of *Denmark* for suppressing the Slave Trade.

LXII. An Act to repeal an Act of the present Session of Parliament, intituled *An Act for the more effectual Abolition of Oaths and Affirmations taken and made in various Departments of the State, and to substitute Declarations in lieu thereof, and for the more entire Suppression of voluntary and extra-judi-*

cial Oaths and Affidavits; and to make other provisions for the Abolition of unnecessary Oaths.

LXIII. An Act to repeal an Act of the Fourth and Fifth Year of his present Majesty relating to Weights and Measures, and to make other Provisions instead thereof.

LXIV. An Act to alter certain Duties of Stamps and Assessed Taxes, and to regulate the Collection thereof.

LXV. An Act for preventing the Publication of Lectures without consent.

LXVI. An Act to amend the Law relating to the Customs.

LXVII. An Act for the Improvement of the Navigation of the River *Shannon*.

LXVIII. An Act to defray the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in *Great Britain and Ireland*; and to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quarter Masters, Surgeons, Assistant Surgeons, Surgeons' Mates, and Serjeant Majors of the Militia, until the First Day of *July* One thousand eight hundred and thirty-six.

LXIX. An Act to facilitate the Conveyance of Workhouses and other Property of Parishes and of Incorporations or Unions of Parishes in *England and Wales*.

LXX. An Act for abolishing, in *Scotland*, Imprisonment for Civil Debts of small Amount.

LXXI. An Act for appointing Commissioners to continue the Inquiries concerning Charities in *England and Wales* until the First Day of *March* One thousand eight hundred and thirty-seven.

LXXII. An Act for abolishing the Excise Incorporation in *Scotland*, and for transferring the Funds of the said Incorporation to the Consolidated Fund, and providing for the Payment of the Annuities to the Widows and Orphans of late and present Members of the Incorporation Fund,

LXXIII. An Act to provide that Persons accused of Forgery in *Scotland* shall not be entitled to Bail unless in certain Cases.

LXXIV. An Act for the more easy Recovery of Tithes.

LXXV. An Act for the Amendment of the Law as to the tithing of Turnips in certain Cases.

LXXVI. An Act to provide for the Regulation of Municipal Corporations in *England and Wales*.

LXXVII. An Act to repeal the Duty and Drawback on Flint Glass, to impose other Duties and another Drawback in lieu thereof, and to reduce the Drawback on *German* Sheet Glass exported in Panes; and to repeal the Drawback on unground and unpolished Plate Glass; and to amend the Laws relating to the Duties on Glass.

LXXVIII. An Act to explain and amend an Act passed in the Second and Third Year of the Reign of King *William* the Fourth, for amending the Representation of the People in *Scotland*; and to diminish the Expenses there.

LXXIX. An Act to suspend, until after the Sixth Day of *April* One thousand eight hundred and thirty-six, Proceedings for recovering Payment of certain Instalments of Money advanced under the Acts for establishing Tithe Compositions in *Ireland*.

LXXX. An Act to apply a Sum of Money out of the Consolidated Fund and the Surplus of Ways and Means to the Service of the Year One thousand eight hundred and thirty-five, and to appropriate the Supplies granted in this Session of Parliament.

LXXXI. An Act for abolishing Capital Punishments in Cases of Letter Stealing and Sacrilege.

LXXXII. An Act to abolish certain Offices connected with Fines and Recoveries and the Cursitors in the Court of Chancery, and to make Provision for the Abolition of certain Offices in the Superior Courts of Common Law in *England*.

LXXXIII. An Act to amend the

Law touching Letters Patent for Inventions.

LXXXIV. An Act to empower Grand Juries in *Ireland* to raise Money by Presentment for the Construction, Enlargement, or Repair of Piers and Quays.

LOCAL AND PERSONAL ACTS,

Declared Public, and to be judicially noticed.

- i. **A**N Act for the Improvement of the High Street in the Borough of *Ledbury* in the County of *Hereford*.
- ii. An Act for making, maintaining, and repairing a Turnpike Road from the Town of *Belfast* to the Town of *Crumlin* in the County of *Antrim*.
- iii. An Act for more effectually repairing the Road from *Carmarthen* to *Newcastle Emlyn*, and several other Roads, and for making and maintaining new Lines of Road, all in the County of *Carmarthen*.
- iv. An Act to enable the *University Life Assurance Society* and their Successors to purchase Annuities upon or for Lives, and also to lend Money or Stock upon Mortgage for the purpose of Investment.
- v. An Act for better assessing and collecting the Poor and other Rates in the Parish of *Barking* in the County of *Essex*.
- vi. An Act for better supplying with Water the Parish of *Ramsgate*, and the Neighbourhood thereof, in the County of *Kent*.
- vii. An Act to authorize the Sale to and Purchase by *John Lord Rolle* of the Rights of Persons claiming to have divers Rights on such Parts of *Great Torrington* and *Castle Hill Commons* in the County of *Devon* as now form Part of the Cut or Canal called the *Rolle Canal*.
- viii. An Act for incorporating the *Warrington* and *Newton* Railway with the Grand Junction Railway, and for extending to the said first-mentioned Railway the Provisions of the several Acts of Parliament relating to the said last-mentioned Railway; and for other Purposes relating thereto.
- ix. An Act to enable the Grand Junction Railway Company to alter the Line of such Railway and to make Two Branches therefrom in the County of *Stafford*, and for other Purposes relating thereto.
- x. An Act for making a Railway from *Croydon* to join the *London and Greenwich* Railway near *London*.
- xi. An Act to enlarge the Powers of the *New Pembrey Harbour Act* to change the Name of the Harbour to that of *Burry Port*, and to enable the *Burry Port Company* to raise a further Sum of Money.
- xii. An Act for constructing and maintaining a Harbour at *New Quay* in the County of *Cardigan*.
- xiii. An Act for making and maintaining a Pier and other Works at *Deptford* in the County of *Kent*.
- xiv. An Act to enable the Commissioners appointed under Two Acts for draining certain Lands situated on or near the River *Leven* in the Counties of *Kinross* and *Fife* to raise a further Sum of Money for the Purposes of the said Acts.
- xv. An Act to enlarge and regulate the Market now held in the Town of *Devonport*, in the County of *Devon*, and to establish a Market within the said Town for Corn, Grain, and other Articles, and to regulate the Amount of Tolls to be paid within the said Markets.
- xvi. An Act for lighting with Gas the Town and Neighbourhood of *Llanelly* in the County of *Carmarthen*.
- xvii. An Act for building a new Parish Church in the Town of *Honiton* in the County of *Devon*.
- xviii. An Act for paving, cleansing, lighting, and regulating the several Parishes of *Saint Margaret*, *Saint John the Evangelist* and *Saint James*, within the Liberty of *Westminster* in the County of *Middlesex*, and the Precinct of the *Savoy*, and also Part of the Liberty of *Saffron Hill*,

- Hatton Garden*, and *Ely Rents*, within the same County ; and for other purposes therein mentioned.
- xix. An Act for repairing the Road from *Little Bowden* in the County of *Northampton* to *Rockingham* in the same County.
- xx. An Act for repairing the Road from *Farnborough* to *Riverhill* in the Parish of *Sevenoaks* in the County of *Kent*, and for making several Diversions in the said Road.
- xxi. An Act for making and maintaining a Road from *New Quay* in the County of *Cardigan* to *Aberayron* in the same County.
- xxii. Act for improving certain Roads within the County of *Hereford* communicating with the City of *Hereford*.
- xxiii. An Act to incorporate the *Avenue Road* in the Parish of *Saint Marylebone* with the *Marylebone* and *Finchley* Turnpike Roads in the County of *Middlesex*.
- xxiv. An Act for making and maintaining a Turnpike Road from the Town of *Hurstperpoint* to the *Brighton* and *Cuckfield* Turnpike Road at or near *Ansty Cross* in the Parish of *Cuckfield*, all in the County of *Sussex*.
- xxv. An Act for more effectually repairing the *Darlington* and *West Ackland* and the *Cockerton Bridge* and *Staindrop* Roads in the County of *Durham*, and for consolidating the Trusts thereof.
- xxvi. An Act for more effectually repairing the Road from the *Exeter* Turnpike Road to *Biddeford*, and certain Roads leading from *Bridge-town Pomeroy* and *Totnes*, and other Roads communicating therewith ; and for repairing *Totnes Bridge*, and erecting Bridges over the *Stover Canal*, the Rivers *Teign* and *Lemon*, and the *Mill Leat* ; all in the County of *Devon*.
- xxvii. An Act for repairing and improving the Roads in the Counties of *Northumberland* and *Durham* called the *Ford* and *Lowick* Turnpikes, and for making certain new Branches in the said Counties.
- xxviii. An Act for making certain Turnpike Highways between the Towns of *Nantwich* and *Congleton* in the County Palatine of *Chester*.
- xxix. An Act for building a Bridge over the River *Exe* from the *Shilhay* at the City of *Exeter* and for making Approaches thereto ; and for removing the present Ferry across the said River, and establishing another Ferry or a Foot-bridge in lieu thereof.
- xxx. An Act to amend the Acts relating to the *Manc'ester*, *Bolton*, and *Bury Canal* Navigation and Railway, and to make a Branch Railway to *Bolton*.
- xxxi. An Act to authorize the *Newcastle upon Tyne* and *Carlisle* Railway Company to make an additional Branch Railway or Tramroad ; and for other purposes connected with their undertaking.
- xxxii. An Act to amend an Act for improving the Navigation of the River *Cart*, and for deepening and extending the Harbour of *Paisley*, in the county of *Renfrew*.
- xxxiii. An Act to enable the *Edinburgh* Water Company to borrow a further Sum of Money.
- xxxiv. An Act to consolidate and extend the Powers and Provisions of the several Acts relating to the *Birmingham* Canal Navigations.
- xxxv. An Act for making, maintaining, and repairing certain Roads near the Towns of *Ashburton* and *Totnes* in the County of *Devon*.
- xxxvi. An Act for repairing and maintaining the Road from the *Wellington Bridge Road* in the Parish of *Leeds* to *Tong Lane End* in the Parish of *Birstal*, and other Roads branching therefrom, and for making and maintaining a new Road from the aforesaid Road at *Swallow Hill* in the Township of *Wortley* to *Pudsey*, all in the West Riding of the County of *York*.
- xxxvii. An Act for making and maintaining a Road from *Sandbach* to *Congleton*, in the County Palatine of *Chester*, and a Branch Road communicating therewith.
- xxxviii. An Act for more effectually repairing the Road from *Mullen's*

Pond in the County of *Southampton*, through *Amesbury*, to the Eighteen Mile Stone from the City of *New Sarum* near *Willoughby Hedge* in the County of *Wilts*, and several other Roads leading out of the said Road.

xxxix. An Act for more effectually repairing and improving the Road from the Town of *Hitchin*, through *Shefford*, to the Turnpike Road from *Saint Albans* to *Bedford*, and also the Road from the Turning out of the said Road to *Henlow* and *Gerford Bridge*, and other Roads therein mentioned, in the Counties of *Hertford* and *Bedford*.

xl. An Act for more effectually repairing the Road from *Saint Benedict's Gate* in the County of the City of *Norwich* to *Swaffham* in the County of *Norfolk*, and from *Halfpenny Bridge* in *Honingham* to the Bounds of *Yaxham*, and also a Lane called *Hangman's Lane*, near the Gates of the said City.

xli. An Act for more effectually repairing the Road from *Duffield*, through *Belper*, to *Heage* in the County of *Derby*, and for making a new Line of Road communicating therewith.

xlii. An Act to empower the *Dublin Oil Gas Light Company* to produce Gas from Coal, Peat, Turf, and other Materials; and to amend the Act relating to the said Company.

xliii. An Act to enable the inhabitants of *Grosvenor Square*, in the County of *Middlesex*, more effectually to pave, cleanse, light, water, and embellish the said Square.

xliv. An Act for enlarging the powers of an Act passed in the Ninth Year of the Reign of King *George the Fourth*, to consolidate and amend several Acts for the further Improvement of the Port of *London*, by making Docks and other Works at *Blackwall* for the Accommodation of *East India Shipping*.

xlv. An Act for lighting, watching, and improving the Parish of *Tormoham* in the County of *Devon*.

xlvi. An Act for improving and regulating the Town of *Aberystwyth* in

the County of *Cardigan*, and for supplying the Inhabitants thereof with water.

xlvii. An Act to alter and amend Three several Acts for paving, cleansing, and improving the Town of *Dovor*; and for making further Improvements in the said Town.

xlviii. An Act for more effectually repairing, improving, and preserving the Harbour and Quay of *Well* in the county of *Norfolk*.

xlix. An Act for improving the Haven of *Great Yarmouth* in the County of *Norfolk*, and the several Rivers connected therewith, and for repairing or taking down and rebuilding a certain Bridge over the said Haven at *Great Yarmouth* aforesaid, and a certain Bridge called *Saint Olave's Bridge*, over the River *Waveney*, in the Counties of *Norfolk* and *Suffolk*; and for suspending for a limited Period certain Duties payable to the Corporation of *Great Yarmouth*, and imposing other duties in lieu thereof.

l. An Act for establishing a new Market for Live Stock and Agricultural Produce, and erecting a Market House or Corn Exchange, in the City of *Winchester*.

li. An Act for removing the Markets held in the Town of *Cardiff* in the County of *Glamorgan*, and for providing other Market Places in lieu thereof.

lii. An Act for paving, lighting, and watching the Town and Parish of *Downham Market* in the County of *Norfolk*.

liii. An Act for removing the Markets held in the Town and Borough of *Neath* in the County of *Glamorgan*, and for providing a new Market Place in the said Town in lieu thereof.

liv. An Act for altering, amending, and extending the Powers and Provisions of an Act of the Sixth Year of His late Majesty King *George the Fourth*, for the Regulation of Buildings in the Town of *Liverpool*, and for the other Purposes therein mentioned; and for

- granting further and additional Powers for the Improvement and Regulation of the said Town, and the Preservation of Property therein from Fires, and otherwise.
- lv. An Act to make and maintain a Railway from *Stanrig* and *Arbuckle* in the County of *Lanark* to the Union Canal at *Causewayend* in the County of *Stirling*.
- lvi. An Act to enable the *London and Birmingham* Railway Company to extend and alter the Line of such Railway, and for other purposes relating thereto.
- lvii. An Act to enable the *Leeds and Selby* Railway Company to improve the Line of the said Railway; and for amending and enlarging the Powers and Provisions of an Act relating to such Railway.
- lviii. An Act for making a Railway from *Preston* to *Wyre*, and for improving the Harbour of *Wyre*, in the County Palatine of *Lancaster*.
- lix. An Act for consolidating the Shares in the *Wilts* and *Berks* Canal Navigation, and for extending the Powers of the Act of Incorporation of the Company of Proprietors of the said Canal.
- lx. An Act for providing in or near the Burgh of *Cupar* more extensive Accommodation for holding the Courts and Meetings of the Sheriff, Justices of the Peace, and Commissioners of Supply of the County of *Fife*, and for the custody of the Records of the said County.
- lxi. An Act for better supplying with Water the Town of *Ashton-under-Lyne*, and the Neighbourhood thereof, within the Parish of *Ashton-under-Lyne*, in the County Palatine of *Lancaster*.
- lxii. An Act for more effectually making, repairing, and maintaining the Turnpike Roads in the County of *Edinburgh*.
- lxiii. An Act for improving and more effectually repairing the several Roads leading into and from the City of *Worcester*.
- lxiv. An Act for repairing the Roads from *Sevenoaks Common* to *Wood's gate*, *Tunbridge Wells*, and *Kippings-Cross*, and from *Tunbridge Wells* to *Woodsgate*, in the County of *Kent*.
- lxv. An Act for more effectually repairing the *Launceston* Turnpike Roads, and making certain additional Roads.
- lxvi. An Act for more effectually repairing and improving the Road from the Junction of the *Odstock* Road with the *Downton* Road near *Harnham Hill*, through *Blandford* and *Dorchester*, to *Askerswell Hill*, in the Counties of *Wilts* and *Dorset*.
- lxvii. An Act for more effectually repairing and improving the Road from *Newry* to *Charlemont*, through the County of *Armagh*.
- lxviii. An Act for further regulating the Statute Labour and repairing the Highways and Bridges in the County of *Edinburgh*.
- lxix. An Act for continuing the Term and amending and enlarging the Powers of Three Acts of His Majesty King *George* the Third, for amending certain Mileways leading to *Oxford*, and making Improvements in the University and City of *Oxford*, the Suburbs thereof, and adjoining Parish of *Saint Clement*; and for other Purposes in the said Acts mentioned.
- lxx. An Act for making and maintaining a Bridge over the River called "*The Portland Ferry*," in the County of *Dorset*, with proper Approaches thereto.
- lxxi. An Act for amending an Act passed in the last Session of Parliament for establishing a Floating Bridge over the River *Itchen* near the Town of *Southampton*, with proper Approaches thereto, and making Roads to communicate therewith.
- lxxii. An Act for lighting, watching, cleansing, regulating, and otherwise improving the Town of *Tunbridge Wells* in the Counties of *Kent* and *Sussex*, and for regulating the Supply of Water and establishing a Market within the said Town.
- lxxiii. An Act for paving, lighting, and otherwise improving the Town of *Haverfordwest*, and the adjoining Townships of *Prendergast* and *Cartlett*, in the Parishes of

Prendergast and Uzmaston, in the County of *Pembroke*.

- lxxiv. An Act to amend several Acts relating to the Bridge and to the City and Port of *Londonderry*.
- lxxv. An Act for making and maintaining a Dock and other Works in the Port of *Newport* in the County of *Monmouth*, with a Railway and Stone Road therefrom.
- lxxvi. An Act to enable the Proprietors or Shareholders in the *Argus* Life Assurance Company to sue and be sued in the Name of any One of the Directors or of the Chairman or Secretary for the Time being of the said Company.
- lxxvii. An Act for providing a Market Place, and regulating the Markets in the Town and Borough of *Merthyr Tydvil* in the County of *Glamorgan*.
- lxxviii. An Act for erecting and maintaining a Pier or Harbour at *Gourock* in the County of *Renfrew*.
- lxxix. An Act for the further Improvement of the Harbour of *Ayr*.
- lxxx. An Act for supplying the Town of *Paisley* in the County of *Renfrew* with Water.
- lxxx. An Act for the better supplying the Parish of *Richmond* in the County of *Surrey* with Water.
- lxxxii. An Act for enlarging and amending the Powers and Provisions of the Acts passed for making and maintaining a Railway or Tramroad from the Sea Shore at or near *Whitstable* in the County of *Kent* to or near to the City of *Canterbury*, and the Works connected therewith; and to authorise the Company of Proprietors to raise a further sum of Money.
- lxxxiii. An Act for enabling *John Brandling* and *Robert William Brandling*, Esquires, to purchase and take Leases of Lands and Hereditaments for the Formation of a Railway from *Gateshead* to *South Shields* and *Monk Wearmouth*, all in the County Palatine of *Durham*, with Branches therefrom.
- lxxxiv. An Act for making and maintaining a Railway from *Newtyle* to *Coupar Angus* in the County of *Forfar*.
- lxxxv. An Act for making and maintaining a Railway between the Town of *Paisley* and the South Side of the River *Clyde* at *Renfrew Ferry*, and for constructing Wharfs, Quays, or Landing Places there; all in the County of *Renfrew*.
- lxxxvi. An Act for better lighting with Gas the Town and neighbourhood of *Leeds* in the Borough of *Leeds* in the West Riding of the County of *York*.
- lxxxvii. An Act for altering the Line of Road from the Milnford of *Garscube* to the City of *Glasgow*, and improving the Roads leading therefrom into the said City.
- lxxxviii. An Act for improving and keeping in repair certain Roads in the Counties of *Flint* and *Chester*, and for better maintaining the Ferry over the River *Dee* called the *Lower King's Ferry*, in the said County of *Flint*.
- lxxxix. An Act for more effectually repairing and improving the Road from the Side Gate on the *Hinckley* and *Lutterworth* Turnpike Road in the Parish of *Burbage* in the County of *Leicester* to the *Leicester* Turnpike Road in or near to the Village of *Narborough* in the said County.
- xc. An Act to explain and amend the Powers of an Act of His late Majesty King *George* the Fourth, for making a Pier at *Southend* in the County of *Essex*.
- xc. An Act for better lighting with Gas the Borough of *Sheffield* in the West Riding of the County of *York*.
- xcii. An Act for making and maintaining a Railway from *Newtyle* to the Muir of *Eassie*, and from thence to the Muir of *Glammiss*, in the County of *Forfar*.
- xciii. An Act to amend an Act relating to the *Bodmin* and *Wadebridge* Railway.
- xciv. An Act for amending and consolidating the Acts of Parliament

- for the Recovery of Small Debts in the City of *London* and the Liberties thereof, and for enabling the Goods of the Debtors to be taken in Execution.
- xcv. An Act to amend and extend the Powers vested in the Grand Junction Waterworks Company, and for other Purposes relating thereto.
- xcvi. An Act to authorize the *Llanelli* Railway and Dock Company to make certain additional Railways or Tramroads, and for other Purposes connected therewith.
- xcvii. An Act for effecting an Extension of the *Ballochney* Railway, in the County of *Lanark*; and for altering, amending, and enlarging the Powers of an Act of the Seventh Year of His late Majesty, for making the said Railway.
- xcviii. An Act to amend an Act of the Third Year of His present Majesty, for more effectually supplying with Water the City and County of the City of *Exeter* and Places adjacent thereto.
- xcix. An Act to enable the *Reading* Waterworks Company to extend their Works; and for explaining and enlarging the Powers of the Act relating to such Company.
- c. An Act for the better paving, lighting, watching, cleansing, and otherwise improving the Borough of *Truro* in the county of *Cornwall*, and for forming a new Street within the same Borough.
- ci. An Act for paving, lighting, watching, and otherwise improving the Town of *Bognor* in the County of *Sussex*; and for amending and enlarging Two Acts of Parliament passed in the Third and Sixth Years of the Reign of His late Majesty King *George* the Fourth, relating to the said Town.
- cii. An Act for building a Bridge over the River *Trent* at *Willington* in the County of *Derby*.
- ciii. An Act for repairing and otherwise improving the Roads from *Oxford*, over *Botley Causeway*, to *Fifield* in the County of *Berks* and *Witney* in the County of *Oxford*.
- civ. An Act to rectify a mistake in an Act passed in the present Session of Parliament, for more effectually repairing the Road from the *Exeter* Turnpike Road to *Biddeford*, and certain Roads leading from *Bridgetown Pomeroy* and *Totnes*, and other Roads communicating therewith, and for repairing *Totnes Bridge*, and erecting Bridges over the *Stover* Canal, the Rivers *Teign* and *Lemon*, and the *Mill Leat*, all in *Devon*.
- cv. An Act for more effectually repairing certain Roads leading to and from *Bodmin*, and other Roads therein mentioned, in the County of *Cornwall*, and for making and maintaining new Roads communicating therewith.
- cvi. An Act for the Improvement of the Registrar's Office, and other Offices of the Court of Chancery.
- cvi. An Act for making a Railway from *Bristol* to join the *London* and *Birmingham* Railway near *London*, to be called "The Great Western Railway," with Branches therefrom to the Towns of *Bradford* and *Trowbridge, Wilts*.
- cvi. An Act to rectify a Mistake in an Act passed in the present Session of Parliament, for lighting, watching, and improving the Parish of *Tormoham, Devon*.
- cix. An Act to improve and maintain the *Port Dundas* Road, and to make and maintain another Road, in the County of *Lanark*.
- cx. An Act for incorporating and granting certain Powers to the *North American Colonial Association of Ireland*.
- cxi. An Act for establishing a Market for the Sale of Cattle in the Parish of *Saint Mary Islington* in the County of *Middlesex*.
- cxii. An Act to alter, amend, and enlarge the Powers of an Act of the Second and third Years of His present Majesty for making and maintaining a Railway from the *Cave Hill* to the Harbour of *Belfast* in the County of *Antrim*.

PRICES OF STOCK in each Month in 1835,

Highest and Lowest.

	Bank Stock.	3 per Ct. Reduced	3 per Ct. Consols.	3½ per Ct. 1818.	3½ per Cts. red.	New 3½ per Cts.	Long Annuity.	Old S. S. Annuity.	New S. S. Stock.	India Stock.	India Bonds.	Ex. Bills £. 1000.
January ..	223¼ 222	91⅞ 91	91¼ 90⅝	99⅞ 98⅞	100 99¼	99⅜ 98⅜	17¼ 17	89⅞		261½ 257	24 p.m. 18 p.m.	44 p.m. 38 p.m.
February ..	225 223¼	93⅞ 91½	92½ 90¼	100⅞ 99½	100⅞ 99¼	100⅜ 98¾	17½ 17¼	91½ 90⅞		260 256	22 p.m. 17 p.m.	43 p.m. 34 p.m.
March	224½ 223¾	92½ 92⅞	92½ 91½	100 99¾	100⅞ 100⅞	100⅞ 99½	17½		102¾	257½	24 p.m. 18 p.m.	40 p.m. 35 p.m.
April	218 216¼	91⅞ 90⅞	92¼ 91¾	100¼ 98¼	99⅞ 98¾	100⅞ 99⅞	17 16⅞	89⅞	103⅞ 90¼	260 257½	21 p.m. 15 p.m.	42 p.m. 34 p.m.
May	217½ 212	91⅞ 89¼	92⅞ 90¼	99⅞ 98⅞	99¼ 98	100⅞ 98⅞	17 16⅞		103¾	262 257½	16 p.m. 1 p.m.	36 p.m. 5 p.m.
June	218½ 213	91¼ 89⅞	91½ 90⅞	99¼ 97⅞	99⅞ 98¼	100 99¼	16⅞ 16⅞	89¼ 88½		260 258	17 p.m. 5 p.m.	36 p.m. 20 p.m.
July	217½ 214½	91⅞ 90	91 89½	99⅞ 98⅞	100 98½	99¼ 97¾	17 16¾	89½	101⅞ 101¾	256 255	16 p.m. 7 p.m.	34 p.m. 23 p.m.
August....	216 214½	91 89¾	90⅞ 89¼	99¼ 98⅞	99⅞ 98¾	98⅞ 97⅞	16⅞ 16⅞	89¼ 88⅞	101¼ 100¾	255½ 253	8 p.m. 4 p.m.	25 p.m. 18 p.m.
September.	214½	91 90½	91⅞ 90⅞	99¼ 99⅞	100⅞ 99⅞	99⅞ 98¾	16⅞		101⅞	256½ 253	7 p.m. 3 p.m.	22 p.m. 15 p.m.
October ..	210 208	90⅞ 89⅞	91⅞ 90⅞	98⅞ 97½	98⅞ 98	100 98½	16¼ 16	89⅞ 88¼	102	255½ 253	4 p.m. par.	16 p.m. 10 p.m.
November .	211 209	90⅞ 90	91⅞ 91	99 98½	99⅞ 98¼	100⅞ 99½	16¼ 16⅞	89 88	102⅞ 102½	256¾ 256¼	7 p.m. 1 p.m.	18 p.m. 10 p.m.
December .	212 210½	90¼ 89⅞	91¼ 91	99⅞ 98¾	99⅞ 98⅞	99⅞ 99¾	16¼ 16⅞	88⅞	103	256½ 256	5 p.m. 2 p.m.	18 p.m. 13 p.m.

AVERAGE PRICES OF BRITISH CORN.

FROM THE RETURNS.

	Wheat.		Barley.		Oats.		Rye.		Beans.		Peas.	
	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.
January 23	40	7	31	4	22	1	32	0	36	10	41	3
February 13 ...	41	0	32	2	22	0	31	5	36	2	38	9
March 13.....	40	5	32	6	22	4	29	3	36	2	37	10
April 18	39	7	32	6	22	9	30	6	36	4	35	11
May 12	38	9	31	8	23	8	31	0	36	11	36	7
June 12	39	8	30	9	23	10	31	2	38	5	36	1
July 24.....	46	1	29	8	23	10	31	2	39	9	37	4
August 14	42	6	27	9	25	3	30	4	39	7	32	6
September 11...	40	11	27	8	23	0	0	0	38	11	33	10
October 17.....	37	7	27	11	20	0	30	2	34	11	36	0
November 17...	36	10	28	5	19	7	29	9	31	10	35	8
December 11...	36	8	28	2	18	7	28	0	34	11	35	7

AVERAGE PRICES OF HAY, CLOVER, & STRAW P LOAD.

January.	February.	March.	April.	May.	June.
Hay. 4 0 to 5 5	Hay. 4 15 to 5 0	Hay. 4 11 to 4 15	Hay. 4 16 to 5 2	Hay. 4 15 to 5 5	Hay. 3 15 to 5 5
Clover. 4 5 to 5 10	Clover. 5 0 to 5 10	Clover. 5 5 to 5 10	Clover. 4 15 to 5 10	Clover. 4 15 to 5 15	Clover. 4 10 to 5 15
Straw. 1 16 to 1 19	Straw. 1 13 to 1 16	Straw. 1 16 to 2 0	Straw. 2 0 to 2 5	Straw. 1 18 to 2 5	Straw. 1 18 to 2 5
July.	August.	September.	October.	November.	December.
Hay. 3 15 to 5 0	Hay. 3 0 to 5 0	Hay. 3 5 to 4 15	Hay. 3 5 to 4 15	Hay. 2 15 to 4 5	Hay. 2 15 to 4 4
Clover. 4 0 to 5 15	Clover. 3 15 to 5 15	Clover. 15 to 5 10	Clover. 3 10 to 5 10	Clover. 4 5 to 5 10	Clover. 3 15 to 5 0
Straw. 1 18 to 2 5	Straw. 1 14 to 2 0	Straw. 1 8 to 1 13	Straw. 1 6 to 1 14	Straw. 1 10 to 1 12	Straw. 1 6 to 1 13

AVERAGE PRICES OF BUTCHER'S MEAT.

Average Prices per Stone of 8lb. in Smithfield Market, in 1835.

	Beef.				Mutton.				Veal.				Pork.				Lamb.			
	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.
Jan.	2	0	to	3	8	2	2	to	3	8	3	0	to	5	0	2	6	to	3	6
Feb.	2	6	to	4	0	3	0	to	4	0	4	2	to	5	0	2	6	to	4	4
March ...	2	4	to	4	0	3	0	to	4	4	4	0	to	5	8	3	0	to	4	2
April	2	6	to	4	0	3	0	to	4	10	2	8	to	4	8	2	8	to	4	4
May	2	0	to	4	0	2	2	to	3	10	3	4	to	4	8	3	0	to	4	0
June	2	0	to	4	4	2	4	to	4	0	3	4	to	4	0	3	0	to	4	0
July	2	4	to	4	4	3	10	to	4	4	3	0	to	4	8	2	2	to	3	4
Aug.	2	6	to	4	2	2	4	to	4	2	3	2	to	4	8	3	6	to	4	0
Sept.	2	0	to	3	10	2	2	to	4	2	3	0	to	4	4	3	10	to	4	0
Oct.....	2	0	to	4	0	2	4	to	4	0	3	0	to	4	8	3	0	to	4	4
Nov.	3	0	to	4	4	3	4	to	4	4	3	8	to	5	0	3	0	to	4	4
Dec.	2	2	to	4	4	2	4	to	4	4	3	6	to	5	0	2	10	to	4	4

BILLS OF MORTALITY, *from December 9, 1834*
to December 15, 1835.

Christened { Males.. 13,152 } 26,128 || Buried { Males.. 10,964 } 21,415
 { Females 12,976 }

Decrease in the Number of Burials reported this year 264.

WHEREOF HAVE DIED,

Stillborn	966	Sixty and seventy	1769
Under two years of age	5416	Seventy and eighty	1613
Between two and five	2319	Eighty and ninety.....	689
Five and ten	1011	Ninety and a hundred	103
Ten and twenty.....	754	One hundred	3
Twenty and thirty	1424	One hundred and one	1
Thirty and forty	1640	One hundred and two	1
Forty and fifty	1892	One hundred and four.....	1
Fifty and sixty	1816	One hundred and five	1

TABLE of the Number of BANKRUPTS & DECLARATIONS of INSOLVENCY.

	Bankrupts.	Declarations of Insolvency.
January	104	22
February	105	11
March	107	10
April.....	66	13
May	93	7
June	111	14
July	92	9
August	67	10
September	56	5
October.....	66	3
November.....	74	7
December.....	91	10
	1032	121

METEOROLOGICAL TABLE FOR 1835.

Month.	Barometer.		Thermometer.		Pluvia- meter.	Prevailing Winds.
	Highest.	Lowest.	Highest.	Lowest.	Inches.	
January .	30·856	29·081	58	18	0·72	S. W. and W.
February	30·531	29·039	56	24	2·61	S. W. and W.
March ..	30·606	28·851	63	25	1·97	S. W.—W. and N. E.
April ..	30·499	29·558	73	25	1·06	N. and S. W.
May....	50·196	29·487	76	36	3·38	W. and S. W.
June ...	30·375	29·253	87	37	1·99	N. N. W. and S. W.
July....	30·275	29·744	91	43	0·41	S. S. W. and W.
August..	30·855	29·522	92	41	0·18	E.—N. W. and S. W.
Septem..	30·226	29·132	83	38	4·60	S. W. and S. E.
October.	30·431	28·871	65	27	4·05	W. and S. W.
Novem..	30·471	29·152	58	28	1·71	N.—N. E. and S. W.
Decem..	30·624	29·336	55	16	0·25	S. W. and N. E.
	30·856	29·039	92	16	22·93	

UNIVERSITY OF OXFORD.

EXAMINATIONS. TERM—PASCHAL, 1835.

In Literis Humanioribus.

CLASSIS I.

Adams, John, *Christ Church*.
Cardwell, Edward, *Balliol*.
Chaffers, Thos. *Brasenose*.
Giles, John Edward, *Magdalen Hall*.
Ley, Wm. H. *Trinity*.
Shepherd, Henry, *Worcester*.

CLASSIS II.

Andrews, Wm. *Queen's*.
Argles, Marsham, *Merton*.
Barne, Henry, *Exeter*.
Bridges, Brook Edw. *Oriel*.
Brome, Lord, *New College*.
Campbell, Henry, R. *Balliol*.
Cockin, Wm. *Brasenose*.
Gilbard, Wm. *Worcester*.
Hulton, Campbell, B. A. G. *Brasenose*.
Kynnersley, Edm. C. S. *Trinity*.
Pearson, Wm. H. *Christ Church*.
Scott, William, *Queen's*.
Tate, Charles Richmond, *Corpus*.

CLASSIS III.

Austin, John, S. *Trinity*.
Ball, Edw. *Brasenose*.
Blachford, Fitzroy, *Brasenose*.
Daniel, John, *Christ Church*.
Daubeney, Geo. B. *Balliol*.
Dyke, Wm. *Jesus*.

Fitzgerald, Augustus, O. *Balliol*.
Gordon, Edw. *Oriel*.
Hardy, Robert, *Balliol*.
Higgs, Richard, Wm. *St. John's*.
Hodgson, John F. *Christ Church*.
Knight, Geo. *Edmund Hall*.
Knight, Horace, Lewis, *Christ Church*.
Lloyd, Alfred, *Wadham*.
Onslow, Augustus, C. *Christ Church*.
Reade, Charles, *Magdalen*.
Rowley, Wm. G. *Queen's*.
Soltan, Wm. F. *Balliol*.
Treachy, Joshua, *Queen's*.
Wells, Fras. Ballard, *Magdalen*.
Wingfield, Wm. F. *Christ Church*.
Winter, Alfred, L. *University*.

CLASSIS IV.

Addison, John, *Exeter*.
Bridges, Alex. H. *Oriel*.
Colborne, Wm. N. R. *Christ Church*.
Harris, Hon. Chas. A. *Oriel*.
Hocker, Chas. *Oriel*.
Hunter, Wm. *St. John's*.
Hussey, Wm. L. *Christ Church*.
Martin, Fras. B. P. *Wadham*.
Newton, Fras. W. *Pembroke*.
Price, John, *Jesus*.
Severn, John Percy, *Christ Church*.
Sinclair, Wm. *St. Mary Hall*.
Slater, Leonard, *University*.
Sterling, Chas. J. *St. Mary Hall*.

In Disciplinis Mathematicis et Physicis.

CLASSIS I.

Adams, John, *Christ Church*.
Buller, Wm. C. *Oriel*.
Cardwell, Edward, *Balliol*.
Phelps, Wm. J. *Oriel*.

CLASSIS II.

Harris, Hon. Chas. A. *Oriel*.

CLASSIS III.

Tate, Chas. Richmond, *Corpus*.

CLASSIS IV.

Grimes, Edward, *Oriel*.
Holme, Thomas, *Queen's*.
Thomas, Dunckley, *Exeter*.
Williams, John, *Jesus*.
Wright, George, *Worcester*.

TERM, MICHAELMAS, 1835. *In Literis Humanioribus.*

CLASSIS I.

Claughton P. *Brasenose*.
 Cotton, Wm. *Christ Church*.
 Litton, Edward, *Balliol*.
 Miller, John, *Lincoln*.
 Tickell, George, *Balliol*.
 Yonge, Charles, *St. Mary Hall*.

CLASSIS II.

Cane, Edw. *Trinity*.
 Evans, Evan, *Pembroke*.
 Freeland, Humphrey, *Christ Church*.
 Godley, John, *Christ Church*.
 Hannam, Thos. *Magdalen Hall*.
 Hansell, Edw. *Magdalen*.
 Lamb, Robert, *St. John's*.
 Maidstone, Lord Viscount, *Christ Church*.
 Moore, John, *Exeter*.
 Morris, Thos. *Christ Church*.
 Pearson, Geo. *Christ Church*.
 Sawbridge, Edw. *Balliol*.
 Spragge, Chas. *Exeter*.
 Williams, Morris, *Jesus*.
 Woolcombe, Louis, *Pembroke*.

CLASSIS III.

Barnes, Arthur, *Christ Church*.
 Barnett, Henry, *Christ Church*.

Brooks, Joseph, *Brasenose*.
 Fowle, Wm. *Wadham*.
 Geare, Edw. *Exeter*.
 Hill, George, *Edmund Hall*.
 Leach, Thos. *Merton*.
 Le Breton, Wm. *Pembroke*.
 Muirhead, Jas. *Balliol*.
 Ormerod, Jas. *Brasenose*.
 Scriven, Chas. *Worcester*.
 Smith, Bernard, *Magdalen*.
 Smith, Robert, *Jesus*.

CLASSIS IV.

Browne, Wm. *Balliol*.
 Capes, John, *Balliol*.
 Crockford, Wm. *Brasenose*.
 Daubeny, Henry, *Trinity*.
 Dunlop, Chas. *Pembroke*.
 Entwistle, Arthur, *Oriel*.
 Hulme, Geo. *Balliol*.
 Pope, Septimus, *Queen's*.
 Rothwell, Thos. *Oriel*.
 Shute, Hardwicke, *Pembroke*.
 Smith, Hinton, *Wadham*.
 Smythies, Chas. *Trinity*.
 Sweet, Chas. *Balliol*.
 Williams, Jas. *Pembroke*.
 Young, Richard, *Oriel*.

In Disciplinis Mathematicis et Physicis.

CLASSIS I.

Entwistle, Arthur, *Oriel*.
 Handell, Edw. *Magdalen*.
 Litton, Edw. *Balliol*.

CLASSIS II.

Bingley, Wm. *Trinity*.
 Cotton, Wm. *Christ Church*.
 Puckle, John, *Brasenose*.

CLASSIS III.

Browne, Wm. *Balliol*.

CLASSIS IV.

Barlow, John, *Worcester*.
 Sheppard, Arthur, *Oriel*.
 Smith, Geo. *Queen's*.
 Tayler, Wm. *New Inn Hall*.

CHANCELLOR'S PRIZES.

Latin Essay. *De Jure Clientelæ apud Romanos*. Roundell Palmer, *Magdalen*.
 English Essay. *The Influence of Ancient Oracles on Public and Private Life*.
 J. B. Mozley, *Oriel*.

POETICAL PRIZES.

Latin: *Julianus Imperator Templum Hierosolymitanum instaurare aggreditur*
 James Cowles Prichard, *Trinity*.
 English: *The Burning of Moscow*. Wm. Robert Seymour Fitzgerald, *Oriel*.

UNIVERSITY OF CAMBRIDGE.

EXAMINATIONS. MATHEMATICAL TRIPOS, 1835.

Moderators. { John Harrison Evans, M.A. *John's.*
 { Thos. Gaskin, M.A. *Jesus.*

Examiners. { Edwin Steventon, M.A. *Corpus.*
 { Francis Martin, M.A. *Trinity.*

Wranglers.

Ds. Cotterill.....*John's.*
 Goulburn.....*Trinity.*
 Rawle.....*Trinity.*
 Greatheed.....*Trinity.*
 Dickinson.....*Trinity.*
 Cross.....*John's.*
 Ashby.....*Pembroke.*
 Blackburn.....*Trinity.*
 Scudamore.....*John's.*
 Gibbs.....*Caius.*
 Johnson.....*Caius.*
 Ross de Bladensburg.....*Trinity.*
 La Mottée.....*Trinity.*
 Smith.....*Christ's.*
 Abbott.....*Pembroke.*
 Acland.....*Caius.*
 Skelton.....*Christ's.*
 White.....*Trinity.*
 Girdlestone.....*Trinity.*
 Smith, H. W.....*John's.*
 De Sausmerez.....*Caius.*
 Gipps.....*John's.*
 Lambert.....*John's.*
 Leefe.....*Trinity.*
 Howes.....*Trinity.*
 Hill.....*Clare.*
 Rigg.....*Christ's.*
 Dunn.....*Trinity.*
 Heisch.....*Trinity.*
 Proctor.....*Catherine.*
 Helps.....*Trinity.*
 Merivale.....*Trinity.*
 Cooper } *Æq.* { *Trinity.*
 Davis } *Christ's.*
 Allen.....*Trinity.*
 Davies.....*Corpus.*
 Budd.....*Pembroke.*

Senior Optimes.

Ds. Musgrave.....*Trinity.*
 Gibbons } *Æq.* { *John's.*
 Grote } *Trinity.*
 Wackerbarth.....*Corpus.*
 Hilditch.....*John's.*
 Rudd.....*John's.*
 Nichols.....*Caius.*
 Coupe.....*Christ's.*
 Watson.....*Trinity.*
 Merriman.....*Caius.*
 Garvey.....*Emmanuel.*

Jeremie.....*Trinity.*
 James.....*Corpus.*
 Lowe.....*Trinity.*
 Drake.....*John's.*
 Burnett.....*Trinity.*
 Courtenay.....*Jesus.*
 Seager.....*Trinity.*
 Hoste.....*Caius.*
 Shortland.....*Pembroke.*
 Curtis } *Æq.* { *John's.*
 Davidson } *Clare.*
 James.....*Jesus.*
 Walker.....*Jesus.*
 Morris.....*John's.*
 Johnstone.....*Emmanuel.*
 Dixon.....*Sidney.*
 Tillard.....*John's.*
 Beadon.....*John's.*
 Hall.....*Christ's.*
 Bishop.....*John's.*
 Scott.....*Clare.*
 Jowett.....*Caius.*
 Pritchard.....*John's.*
 Wood.....*Peter.*
 Eyre } *Æq.* { *Catherine.*
 Forest } *Queen's.*
 Howes.....*Trinity Hall.*
 Blunt.....*Caius.*
 Barber.....*John's.*
 Harris.....*Trinity.*

Junior Optimes.

Ds. White.....*John's.*
 Legrew.....*John's.*
 Berkeley } *Æq.* { *Jesus.*
 Wilson } *Clare.*
 Rogers } *Æq.* { *John's.*
 Spiller } *Catherine's.*
 Smith, A. } *Æq.* { *John's.*
 Thomas } *Peterhouse.*
 Waltham.....*John's.*
 Williams.....*Magdalen.*
 Bradstreet } *Æq.* { *Emmanuel.*
 Gilbert } *Magdalen.*
 Scrivener.....*Trinity.*
 Richardson.....*John's.*
 Ramsey.....*Pembroke.*
 Ethy } *Æq.* { *John's.*
 Nightingall } *Catherine's.*
 Schwabe.....*Caius.*
 Karslake.....*Magdalen.*

Richards	.....	John's.
Stocks	.....	Trinity.
Laing	} <i>Æq.</i>	{ John's.
Wilkinson		
Newlove	.....	Clare.
Fergusson	.....	Trinity.
Ellison	.....	Trinity.
Clarke	} <i>Æq.</i>	{ Pembroke.
Storer		
Fox	.....	Queen's.

Morgan	} <i>Æq.</i>	{ Trinity.
Reid		
Williamson	.....	Caius.
Manners Sutton	.....	Trinity.
Harrison	.....	Trinity.
Paton	} <i>Æq.</i>	{ Queen's.
Phillips		
Meade	.....	Caius.
Claydon	.....	Trinity.
Hue	.....	Trinity.

CLASSICAL TRIPOS, 1835.

<i>Examiners.</i>	{	Capel Loft, M. A. King's.
		William Selwyns, M. A. John's.
		Christopher Wordsworth, M. A. Trinity.
		Joseph Williams Blakesley, M. A. Trinity.

First Class.

Ds. Goulburn	.....	Trinity.
Howes	.....	Trinity.
Harris	.....	Trinity.
Rawle	.....	Trinity.
Merrivale	.....	Trinity.
Grote	.....	Trinity.
Cooper	.....	Trinity.
Wilkinson	.....	Clare.
Cotteril	.....	John's.
Richards	.....	John's.

Second Class

Ds. Beadon	.....	John's
Hue	.....	Trinity
Scrivener	.....	Trinity.
Drake	.....	John's.
Seager	.....	Trinity.
Meade	.....	Caius.

Laing	.....	John's.
Ramsay	.....	Pembroke.
Legrew	.....	John's.
Bishop	.....	John's.
Procter	.....	Catherine.
Wackerbarth	.....	Corpus.

Third Class.

Ds. Waltham	.....	John's.
Stocks	.....	Trinity.
Ellison	.....	Trinity.
Leefe	.....	Trinity.
Tillard	.....	John's.
Barber	.....	John's.
Dixon	.....	Sidney.
Smith, A.	.....	John's.
Howes	.....	Trinity-hall.
White	.....	John's.

CHANCELLOR'S MEDALLISTS.

Henry Goulburn	Trinity.
Edward Howes	Trinity.

CHANCELLOR'S PRIZE.

Thomas Whytehead	John's.
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SIR W. BROWNE'S MEDALS.

Greek Ode, James John Smith	Trinity.
Latin Ode, } Henry Drury,	Caius.
Epigrams		

PORSON PRIZE.

William James Kennedy	John's.
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SEATONIAN PRIZE.

T. E. Hankinson	Corpus.
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LAW CASES AND NARRATIVES.

COURT OF KING'S BENCH,
FRIDAY, FEB. 13.
TRIAL AT BAR.

*The King v. Gibbs Crawford
Antrobus, Esq.*

THIS case arose out of the circumstances attendant upon the conviction of two men of the name of Garside and Mosley, for the murder of Mr. Ashton, in the county of Chester. The respective sheriffs of the city and county of Chester refused to execute them, and after several respites, they were brought up before the court of King's Bench in Michaelmas Term, and were then ordered to be hanged at Horsemonger-lane gaol, which order was duly executed. A motion was made for leave to file a criminal information against the defendant, the sheriff of the county, for having refused to execute these men according to the order of the judge of assize, Mr. Baron Parke; and a trial at bar was ordered.

The defendant sat within the Bar allotted for King's counsel.

The case for the crown was conducted by the Attorney-general, sir John Campbell and Mr. Wightman.

For the defendant, Mr. Maule, Mr. Kelly, and Mr. Walesby, appeared.

Mr. Wightman stated, that this was an information filed by his Majesty's Attorney-general, which stated, that at the assizes held at Chester, on the 6th of August last, Garside and Mosley were tried

and convicted of murder, and were sentenced to be hanged on the 8th of August, and that it was the duty of the defendant, as sheriff of the county, to execute them, but that he had refused and neglected so to do.

The Attorney-general said, the simple question was this—did the office of sheriff of the county of Chester, impose on the defendant the duty of executing criminals, convicted in Chester. The sheriff, by the common law of the land, was bound to obey the orders of the Court. Undoubtedly, for many years, there was no instance of the sheriff of the county having executed a criminal; that duty had always been performed by the sheriff of the city of Chester, and the mode in which that duty was discharged was this:—The criminal was tried in the county court; when the day arrived for sentence to be carried into execution, he was taken to the boundary of the jurisdiction of the county of Chester, and was handed over by the constable of the Castle—in point of fact to the sheriffs of the city, and by them carried to the place of execution, within their jurisdiction, and there he suffered death. A section of the 11th of George IVth. and 1st of William IV., chap. 7, enacted, that from and after the commencement of that act, his majesty's writ should be directed and obeyed, and should extend and be exercised over and within the county of Chester, and the county of the

city of Chester in like manner, to the same extent, and to, and for all intents and purposes as in counties of England not being counties palatine. The court of Great Session was thus totally abolished; all the courts that at that time exercised any jurisdiction, legal or equitable, civil or criminal, in the county of Chester were done away with. It was also enacted, that the powers of the Judges of those courts should cease and determine; and that assizes of oyer and terminer should be held within the county of Chester. It was not so much a question for the jury, as it was for the Court, whether upon this section there could be the least doubt that the sheriff of the county of Chester became bound to do every thing according to the laws and statutes of the land prevailing in other counties. The sheriff of the county became liable, by virtue of that statute, to all these laws and statutes; and no doubt the sheriff of the county should do execution. But a doubt had been suggested, and he was bound to state it; it was this—that, in point of form, when the Judges went down first to the assizes, matters went on as before. The Judge held the assizes of oyer and terminer; on one or two occasions unfortunately, persons were sentenced to the extreme punishment, and the sheriffs of the city, as usual, performed the duty, no person entertaining a doubt, because no one had taken the trouble to look into it; matters went on just as before, no order being made by the Judge. By what means the judges of oyer and terminer of the county of Chester had jurisdiction within the county of the city of Chester, he owned he was at a loss to

understand; or how the Judge could order the sheriff of the county of the city of Chester to do execution, any more than the Judge sitting in the county of Surrey could order the sheriff of the county of Middlesex, to do execution. The doubt had arisen when the act came to be looked into; and the sheriffs of the county of the city entertained an opinion that they were not bound, and if not bound, that they, as a matter of duty and conscience, ought not to do execution. There was, however, the 15th section, which might have been relied on by the other side; it was the only one that could raise the smallest doubt as to the liability of the defendant. After the 14th section had entirely destroyed all the courts of the county palatine, there was a proviso in the 15th section with respect to the city of Chester, which was—Be it enacted, that nothing contained in the act should be construed to abolish or affect the obligations or duties, or jurisdictions or rights, then imposed upon, performed, or claimed, and exercised by the mayor and citizens of the county of the city of Chester, or otherwise, save and except that such causes of error or false judgments as therein contained should thereafter be prosecuted in the Court of King's Bench. But the 19th section, in express terms, placed the administration of criminal justice in the county of Chester on the same footing as that of every other county. Now, there was no exception as to the criminal jurisdiction of the county; for it was expressly enacted, that all criminal acts should be transferred to the judge sitting under a commission of oyer and terminer, who had no more to do with the

county of the city of Chester, than the judge sitting in Middlesex had with the sheriff of the county of Surrey.

The following witnesses were called:

Mr. Loyd, clerk of assize upon the Chester circuit.—I was present at the trial of Garside and Mosley. The defendant attended the judges at those assizes as sheriff. The prisoners after trial were conveyed back to their cells within the castle in the custody of the constable of the castle. I produce the calendar, signed by Mr. Baron Parke, who tried the prisoners. I delivered a copy of that to Mr. Antrobus on the 8th of August, and shewed him the original document. Upon telling him what it was, he presented me with a letter directed to Baron Parke, saying he was prepared with his answer.

This letter was read, in which the defendant said, that as great doubt existed on the point, the duty being considered to belong to the sheriffs of the city, he must refuse to comply with the order, until the question was settled by law.

It was then proposed to read that calendar, but

The counsel for the defendant contended that it could not be read; in the first place, because no notice to produce the copy served on the defendant had been given; and in the next place, that the prosecutor could not read the original calendar signed by the judge as connected with the defendant.

On the part of the prosecution, it was urged that the original might be read as a public document which had been shown to the defendant.

Examination continued.—The defendant was in court sitting with

his sword in full dress by the side of the judge when the two criminals were tried and sentenced. I begged him not to go, as I should have a calendar to serve him with. I did this, as I observed his state-carriage at the door. He said he would wait for me. I showed him the calendar between 11 and 12 o'clock on Friday, the 8th, the day the men were to be executed.

The copy of the calendar which was served upon the defendant was then produced, in which Garside and Mosley were ordered to be hanged by the neck.

Cross-examined.—I delivered the calendar to the defendant at half-past 11 on the day of execution, the usual time for which is 12 o'clock. I took the letter of the defendant immediately to Mr. Baron Parke, who gave me this paper (a respite), which I delivered to the constable of the Castle. The prisoners had been brought into court by the constable of the Castle, and were taken back by him to the Castle, which was the place from whence they came. The Castle is the county gaol; it is surrounded by the city. The constable has the custody of all the criminal prisoners; his is a patent office. There are two sheriffs of the city of Chester. I served an order on the constable, and on the sheriffs of the city, at a quarter before 8 o'clock that morning, before I served the defendant with the calendar. They refused to obey the order of the judge, and he then told me to serve the calendar on the defendant. I am prothonotary and clerk of the crown for Flintshire and Cheshire, and have known the county well for thirty years. The executions always took place on Gallows-hill. I never saw an execution, but

have made out the warrants to the city sheriffs, but never to the county sheriffs. The chief justice and justice of Chester used to sit together and try prisoners. I remember the trials of some rioters in 1812, under a special commission. They were executed in the usual place in the city. They were tried at the Castle, and executed in the city. [The order for the execution was read, which directed the sheriffs of Chester to execute.] I prosecuted for the crown on that occasion. None of the judges from Westminster-hall attended. The sheriffs of the county had never taken any part in executions.

The sheriffs of the city refused to execute, and it was by the order of Mr. Baron Parke that I served the calendar on the defendant, and it was upon that judge reading the defendant's letter that he granted the respite.

The cravings of the sheriff of Cheshire were put in, where he charged 69*l.* 15*s.* for executing and putting a man in chains on Stockport-moor, and were read.

An order was put in commanding the sheriffs of the city of Chester to execute that individual, and commanding the sheriff of the county of Chester to hang him in chains.

This was the case for the prosecution.

Mr. Maule then submitted that the evidence which had been produced was not sufficient to maintain the information, and he would call the attention of the court to the terms of the information itself. The judgment, as set forth in the record, was in these words—"The individuals were to be taken from thence to the place from whence they came, and from thence to a place of execution, on Friday next

ensuing, being the 8th day of August, there to be hanged by the neck until they were dead; and when dead, their bodies were to be taken down, and buried within the precincts of the prison in which they should have been confined after their conviction." That judgment, or sentence of the court, was introduced by the regular formal words "It is considered, ordered, and adjudged," &c. The sentence, he contended, was one and indivisible, one single entire thing. It was charged in the indictment that the defendant was called upon to execute the judgment upon these individuals, and that he refused so to do. In order to maintain the information, he should submit that it was necessary to show that the defendant, as sheriff of the county of Chester, was competent to carry into execution the whole of the sentence of the court, to take the prisoners to the place from whence they came, to see execution done upon them, and afterwards to have their bodies buried within the precincts of the Castle. It was perfectly clear that the sheriff of the county could not be called upon to do all these things. The general principle of law was, that no person could be called on to do execution on a criminal, except the person who had the body of that criminal in his custody. The constable had the management of Chester Castle, and the sheriff of the county could not interfere with it. Besides, the calendar had directed the constable to see execution done upon the prisoners. A calendar was sent also to the sheriffs of the city, and upon their refusal to obey the order of the judge, a calendar was taken to the sheriff of the county, whose name did not appear upon the in-

strument. In order to make the defendant liable to fulfil the duty, it was necessary that a contemporaneous instrument should be directed to the constable of the Castle, desiring him to deliver up, and also directing the sheriff of the county to receive, the bodies of the prisoners, and afterwards to see execution done. In the absence of that instrument the sheriff of the county had no right to interfere; he had no right or authority to go to the Castle and demand the bodies of the prisoners, and the constable of the Castle had no authority to deliver up possession of these men, except to the sheriffs of the city, whose names were mentioned in the instrument directed to him. He therefore should contend that the case could not go to the jury, and that his client, the defendant, must be acquitted.

Lord Denman said, the question, which it was wished to have decided, could not be tried on the present information. After the case for the prosecution had been closed two objections had been taken. The first was, that the sheriff had not power to execute the whole judgment and sentence, he not having the body of the convict in his custody, and not being able to take him back from whence he came. It was not necessary to discuss the point, though perhaps it did furnish a strong observation. The principle was laid down by the highest authority, and was a necessary principle, that execution could not be done by any officer who had not the custody, or at least legal means of obtaining the possession, of the body. In this case the sheriff clearly had not the custody of the convict, he was in the prison of the constable: had the sheriff legal means of obtaining

the body? He (Lord Denman) thought not. There was no warrant to the constable. The sheriff had received a copy of the calendar, but it was erroneous to suppose that there was anything more delivered than the copy of the calendar. He must own he should have had the greatest doubt whether anything could have been done upon that, and whether the production of the calendar would have warranted the constable in giving up the bodies. The defendant could not be punishable for not trying the experiment whether the constable would act upon the calendar at all. It seemed to him he ought to have been furnished with that in the first place, and that part of the evidence failed. But supposing he had accepted it, and had gone to the constable to ask for the bodies, what a situation he would have been placed in, if the constable had shown him a formal notice that they had been rightfully convicted, but that the sheriff of another jurisdiction had orders to see execution done. On this ground it seemed to him that the legal authority was not sufficient, and that the sheriff was not bound to execute.

BRISTOL, FRIDAY, April 10-11-13.
MURDER.

Before Sir C. Wetherell, Recorder.

Mary Ann Burdock was indicted for the wilful murder of Clara Ann Smith on the 23d of October, 1833, by administering to her a quantity of arsenic.

James Thomas.—I am an undertaker in this city, and know the prisoner. I was sent for to go to her house on the 26th of October, 1833. She told me she

had an old lady dead in the house, and she must bury her; that the deceased had no friend belonging to her, and therefore she must do it at as little expense as possible. I saw something taken from a box in the room by the prisoner—it was an old silk gown I think. She said, “These are the things belonging to the deceased; you see they are worth nothing.” I put the name of Mrs. Smith, with her age (sixty) on the coffin-plate. The prisoner said she did not know her Christian name. The prisoner paid me: my charge was 2*l.* 15*s.* She was buried on the 31st of October, about eight in the morning. I put the 28th of October on the plate as the day of her death by the direction of the prisoner.

Henry Thomson.—I was in the employ of the last witness, and went to the prisoner’s house with the coffin. We put on the shroud, and then put the body in the coffin. This was on the Saturday. We went again on Monday morning about seven o’clock. The body was still in the coffin. I screwed it down, and accompanied it to St. Augustine’s church-yard, and assisted to put it in the grave. Before the 24th of December last I pointed out the grave. It was opened, and I saw the coffin-plate, which was the same put on it in 1833. The grave was then closed. On the 24th of December I went again to the church-yard. The coffin was taken up. The screws were in the same state as I had left them. I have no doubt the corpse then in it was the same as the one I had put in. The shroud was the same.

John Hill, Sexton of St. Augustine’s church.—The prisoner gave me the orders for the grave. I assisted in the interment, and

selected the spot. In December last I looked for the grave; the last witness pointed it out. I can swear the grave had not been disturbed from the re-opening to the disinterment of the body.

Cross-examined.—There was no secrecy in the matter. The fees at St. Augustine’s yard are higher than at some other churches. Prisoner told me she hoped I would make a mark to recognize the grave, in case the deceased’s friends should ever come and wish to see it, as she was a stranger. I accordingly planted some flowers on it. The grave was not dug so deep as is usual.

Dr. Henry Riley.—I am a physician of the Bristol Infirmary, and have practised here five or six years. I attended the exhumation of a body in St. Augustine’s church-yard on the 24th of December last. The coroner for the city and several professional gentlemen were present. The grave had been opened before I arrived, but the coffin had not been taken up. It was then raised. The bottom of the grave was damp, but there was no water in it. I observed the screws of the coffin very particularly. There was not the least trace of their having been drawn. The coffin was placed on a gravestone, and the lid was unscrewed. There was a body in the coffin covered with a shroud, a shift, and a pair of cotton stockings, which were not much decayed, but the cap was very much gone. We noticed a quantity of water in the coffin, covering good part of the body and legs, but the upper parts, the head, neck, and thorax were above the level. A few worms were creeping about the coffin. The body was the remains of an aged female. We opened the body by cutting down

on both sides from the thorax to the pelvis, exposing the whole of the thorax and abdomen. We noticed the exterior of the body. The thorax was still convex. The abdomen was extremely compressed. The skin of the abdomen and thorax was of a darkish colour. It was not so much altered as might have been expected. The face and neck were more altered. The eyes were sunk in. The lower part of the nose and lips had fallen, so that you could not see into the interior of the mouth. The anterior of the face was more decomposed than the other part of the body. We exposed at one single view both the abdomen and the thorax. The integuments were converted into adipocire. I have not performed any experiments on the formation of adipocire, which is a hardening of the fat, and is animal soap. We then examined the exterior appearance of the contents of the thorax and abdomen. The diaphragm was extremely firm. The lungs were much reduced in size; they were not thicker than my hand. I did not observe any adhesions connecting the lungs with the parietes of the thorax. I did not observe any water in the thorax until some flowed in from the exterior. The heart was much shrunk. The contents of the abdomen were much changed in size. The liver was greatly reduced in size, and was of a dark bluish colour. The stomach and intestines did not appear to contain any gas to give them their common rounded form; they seemed completely empty, and were much reduced in their size. We cut through the lungs and heart, and took out the stomach. I could not discover the traces of any disease, but this was

fourteen months after death. We separated the stomach from the duodenum. We took out the small intestines, and observed the mucous membrane was smeared over with a large quantity of viscid yellow substance. We placed the duodenum and the intestines in separate pans, and gave them to Mr. Herapath. The pharynx, the tongue, and the surrounding parts were much decomposed. The other parts were as little decomposed as in a person who had died a few days before in cold weather. The mucous membrane of the stomach and duodenum was smeared very thickly with a large quantity of a yellow substance. Mr. Herapath then took the pans with their contents to the medical school. The yellow substance was found to penetrate the tissues constituting the intestines, and in some instances through the parietes of the intestines, and particularly in the jejunum. Where these spots had penetrated, the inside of the intestinal canal was stained to a much greater extent than the outside: therefore I consider it had penetrated from the interior to the exterior, which would be the effect of the matter having been taken into the stomach. The mucous membrane of the stomach was of a dark red colour; its consistence was firm, but I should not state positively that that colour had been produced by inflammation, but I believe it to have arisen from inflammation. Where the yellow matter did not exist, there was a dark thick fluid like cocoa. The mucous membrane of the great intestines was red, which is a sign of inflammation. In my opinion the yellow matter was orpiment or yellow arsenic, which is an antiseptic, and would produce the ap-

pearance of firmness I have mentioned. I have not the slightest doubt in the world but that it was yellow arsenic, and the subsequent tests confirmed me in my opinion. The quantity I saw was equal to produce death. The deceased had been suffering from chronic inflammation of the colon, and chronic diarrhœa. I ascribe the cause of death to the taking sulphuret of arsenic. I have known the prisoner some years. I attended a person of the name of Wade, who lived with her. The prisoner was then extremely poor.

Cross-examined.—The prisoner lived in Trinity-street, and kept a lodging-house. I only knew she was poor, because she said she could not afford to remunerate a medical man. I did not go to the grave under an impression that a person had been poisoned; if I had expected to have found arsenic, I should have taken much more pains about the investigation. I was asked to go and examine the body of Mrs. Smith, for the purpose of ascertaining whether she had come to an untimely end. When a person dies from taking orpiment, the symptoms immediately approximating death are the same as those produced from taking other arsenic, but there are no invariable symptoms. If a person dies within a few hours after taking it, there may be great depression of the circulating system, without pain.

Mr. J. J. Kelson.—I am a surgeon; I assisted Dr. Riley, and had no doubt of the presence of arsenic, and that the deceased died from the effect of the arsenic.

Dr. Symonds, physician, gave similar evidence.

Mr. W. Herapath, a lecturer on chymistry and chymical toxicology at the Bristol medical school. I

was present at the disinterment. I received the stomach in one clean basin, and the intestines in another. I tied them up, and gave them to a person to carry to the school, and I never lost sight of them till I got to the school. I then put them on a new deal board. The body appeared more than ordinarily preserved, part converted into adipocere, which I attribute to some anti-septic substance. I first took the stomach and spread it flat on the board. I then slit it open, and found a large quantity of yellow powder. I took a small portion and put it on blotting paper to absorb the moisture. I then dried it on a hot plate. I ground some of it up with carbonate of soda and some charcoal. I introduced it into a reducing tube, and immediately found a volatile-metallic body, which I knew to be metallic arsenic. I then oxydized it, and it sublimed into a white crust, which was arsenious acid. I then made a solution of it, and put a small portion of ammoniacal nitrate of silver, and there was the yellow precipitate of arsenite of silver. I put into another drop a minute portion of ammonia sulphate of copper, and immediately found the green precipitate of scheele or arsenite of copper. I next reduced a larger quantity, and passed through it a stream of sulphureted hydrogen gas, and reproduced the original orpiment. I have repeated the experiments five or six times, and uniformly found the same results. No other substance would produce the same results. I am perfectly satisfied that it was arsenic. I next washed the stomach in water, and allowed the substance to precipitate, and then dried it and weighed it, and found it to contain 17 grains. I then destroyed the animal matter,

dissolved the arsenic, and turned the sulphur into sulphuric acid, and precipitated the whole by sulphureted hydrogen, and that reproduced sulphuret of arsenic. From 13 grains of the mixed matter I had 4 grains of sulphuret of arsenic. There were still some portions adherent to the stomach, which I could not wash off.

Edward Evans.—I am a seaman. I know the prisoner. I used to lodge at her house when she was Mrs. Wade. The deceased lodged there also. The prisoner asked me to purchase twopennyworth of arsenic for her about six days before Mrs. Smith's death. She said there were rats under her husband's bed. I had a can of Burton with the twopence. The prisoner asked me if I had got the arsenic. I told her I had not, but I would buy it, and I borrowed the twopence from Mr. Bussell and bought the arsenic. I went into Mr. Hobbs's, the druggist, and asked for the arsenic, but Mr. Hobbs said he could not sell it without a witness. I left the shop, and went to Bussell and Johnson and asked them to go with me to Mr. Hobbs's shop, and I then obtained the arsenic. I went home and gave it to the prisoner, who took it and put it in her pocket. I became aware of Mrs. Smith's death about twelve o'clock at night. I heard a noise, and called out twice to know what was the matter, and the prisoner answered me that the old lady was dead. The next morning Mr. and Mrs. Wade and myself were in a room together. There was a pocket which Wade had, from which were produced three or four rings, having the appearance of gold, and some receipts. Wade said it belonged to Mrs. Smith. I asked prisoner

what they were laughing at in the night. She told me to ask the servant, and she would tell me. Mrs. Burdock told me she died poor, but there was some old plate which she would dispose of to pay her funeral expenses. I saw Mrs. Smith in the street four days before her death. Her face was tied up. I had seen her with a gold watch and chain about a month before. She had not taken her meals with the family for six weeks before her death.

William Bussell.—I recollect the last witness coming to me in October, 1833, to borrow twopence. I then went with him to Mr. Hobbs's shop, and Evans asked for twopennyworth of arsenic, which he obtained. He asked the druggist whether it would be enough to poison a man, and he replied that it was enough to poison half Bristol. He did not tell the druggist what he wanted it for.

John Johnson.—I accompanied Evans and Bussell to Mr. Hobbs's shop, when Evans got the arsenic.

Mr. Hobbs.—I keep a druggist's shop. I recollect Evans coming to my shop to buy arsenic to kill rats. He came first, and I would not let him have it without witnesses, and he brought Bussell and Johnson with him, and I let him have twopennyworth of arsenic. It was about half an ounce. I generally put it up in two papers, and write on both.

Mary Ann Allen.—I live in Horse-street with my mother, who keeps a mangle. My mother used to mangle for Mrs. Burdock. I recollect her coming to our house in October, 1833. My mother was out. She said she wanted me to attend an old lady, who was an invalid, to carry down slops, but that I was not to touch anything after her, as she was a dirty old

woman, and spat in everything. When my mother came in she told her the same, and asked her to spare me. My mother told her she hoped there was nothing that was catching. She said there was not, but that she had a sore mouth. I was to go home to my meals, and she told me to ask three shillings a-week. I was to sleep at the foot of the same bed in which Mrs. Smith slept. Mrs. Burdock crossed the bridge to the druggist's shop. She went in, and I waited outside. I then accompanied her to her house; it was about six in the evening. On arriving at the house, we went up to Mrs. Smith's bedroom. She was ill in bed. Mrs. Burdock told me to say I came from Trenchard-street or Steep-street, and not from Horse-street, because Mrs. Smith did not like to take any one from Horse-street. Mrs. Smith asked me my name. I told her. She then asked what wages I was to have. I told her three shillings per week, and to go home to my meals. She said she could go to the office and get some one for two shillings and sixpence. I told her I could not come for that money; she then told me to stop that night. Mrs. Burdock was then in the room. I went down for a candle, and Mrs. Burdock asked me what Mrs. Smith had been saying. I told her nothing particular. She again told me not to take anything after her, for she was a dirty old woman, and spat in everything, and added, "Mind, my dear child, what I say to you." Mrs. Burdock's servant came up to help me to make the bed, and Mrs. Smith got out of bed herself in her day-clothes. She did not appear very weak. She did not complain of illness. She went to bed again in the same dress. I went to bed between eight and nine o'clock. Mrs. Smith did not take any thing in my presence. She was very quiet at night, except asking once for water. I arose about seven or eight next morning. Mrs. Smith remained in bed. I went home to breakfast soon after I got up. I came back about nine that morning, and Mrs. Burdock again repeated the caution to me not to touch any thing after her. I went up stairs, and Mrs. Smith told me she was better, and she hoped to be down the next Sunday. I asked her what her complaint was, and she said she had caught cold. Mrs. Burdock came up in the morning. She asked me how I got on, and she told me not to tell Mrs. Smith of any lodgings, if I knew of any, and she again told me not to touch any thing after her. I went home to dinner, and came back about two. No alteration had taken place in Mrs. Smith's appearance at that time. I went home to tea about five o'clock. I remained absent. Mrs. Smith had not taken anything that day in my presence. Mrs. Burdock came up stairs after tea, and asked Mrs. Smith how she was? She said she was poorly. Mrs. Burdock asked her if she would take any thing? She answered "No." She then asked her to have some gruel, but she answered no, her mouth was so sore. Mrs. Burdock said, "do take it, there's a good soul; I will go and make you a nice drop of gruel," and Mrs. Burdock left the room, and went down stairs. In about a quarter of an hour Mrs. Burdock walked into her own bedroom. I could see the door. She had in her hand a candlestick, with a spoon about the size of a dessert-spoon in the candlestick,

and in the other hand a blue half-pint basin with gruel, and a blue paper in the same hand done up as a powder. I did not notice whether it was tied. I followed Mrs. Burdock. She asked me what I wanted? I told her nothing. She then placed the basin, candle-stick, powder, and spoon on the chest of drawers. She opened the paper and pinched up a small bit of powder out of it and put it in the gruel. There was a white paper inside the blue paper. The powder was yellow. I asked her what it was? She said, "Oh it is nothing, it is only something to ease her, she is so griped." She put two pinches of the powder into the gruel in my presence. She then went to the wash-hand basin and washed her hands, and threw the water into the slop-pan bucket outside the door. She washed her hands a second time, and scrubbed the nails of one of her hands with a nail-brush. She wiped her hands, and then stirred the gruel with a spoon. I said to her, "What a curious way to give a powder; would it not be better to mix it up with a drop of water in a tea-cup?" She said Mrs. Smith would not take it, she would think we were going to kill her. She told me to go into the bed-room, as Mrs. Smith would be wanting me. The gruel was of a red colour before she put it in. She told me not to tell Mrs. Smith that she was in the bed-room, but that she would be up directly; and not to tell her there was anything put in the gruel, as she was so deep. I then went into Mrs. Smith's room, and Mrs. Burdock followed me in about five minutes with the gruel, and took it to the bedside, and gave it to Mrs. Smith, who drank about half of it; there were two candles

in the room, but they were some way from Mrs. Smith. Mrs. Burdock immediately took the basin, and went out of the room with it. Mrs. Smith lay down, and in about half an hour she became very ill indeed. She rolled about the bed in great agony and pain. She said she was poorly in five minutes after she had taken the gruel. Mrs. Burdock went to the bed-side and asked her how she felt. Mrs. Smith said, "Go along and leave me alone." Mrs. Burdock then turned to me and laughed. Mrs. Smith moaned, but did not say anything. Mrs. Burdock was in the room, and I asked her if she had not better fetch a doctor. Mrs. Burdock said, that Mrs. Smith says "What! have a doctor to kill me?—no." This was uttered in a whisper. Mrs. Burdock never asked Mrs. Smith in my presence to have a doctor. Mrs. Burdock then sat down, and Mrs. Smith during that time was very ill indeed, moaning and rolling about the bed. Mrs. Burdock and I sat some time, but did not say anything. Mrs. Burdock then opened the table-drawer, and took out some bits of candle and rushlight, and said, "Only think of the old b—h having these things." Mrs. Smith raised her head up, and struck it against the bedboard; after this she was quiet, and I did not hear her moan or move afterwards. This was about two hours from the time she had taken the gruel. Mrs. Burdock took no notice of the sound of her head knocking against the bed. In about half an hour, Mrs. Burdock looked at her and said she was asleep, and she hoped she was going to be quiet for a time. In a short time afterwards I went to the bedside, and said, "I think

she is asleep ; we will let her sleep, as she has had no sleep in the day." I then believed she was asleep. I shortly after went and touched her on the cheek, and I said to Mrs. Burdock, "La! she is dead." Her face was cold. Mrs. Burdock said, "Come and sit down ; dont make thyself a fool." I then went and sat down, and she said, "If thee dost go there again, she'll grab hold of thee." In a short time afterwards I lifted up her hand, and I found she was dead. I said, "Mrs. Burdock, she is dead ; why don't you come—why do you sit there?" Mrs. Burdock then came to the bed-side, put up her hands, and said "Lord, my God! she is dead, what shall I do to bury her?" She only looked at her, but did not touch her. She went to the corner of the room, where there were two or three parasols, and took them up and said, "Those are mine," and went out of the room. I went down with her to Mary Evans's bed-room, and told her Mrs. Smith was dead. She dressed herself and went up with us, and saw Mrs. Burdock. Mary Evans then got hot water, and she and I washed and laid out the body. Mary Evans was Mrs. Burdock's servant ; while Mary Evans was down stairs, Mrs. Burdock got Mrs. Smith's keys, and opened a sort of cupboard in the wall, and looked at the things. She saw some bits of sugar, and said "Only think of the old b—h having this. I used to blame my poor boy for taking it, and she has it." She found some bottles with liquor in them, and she said, "Only think of the drunken old b—h having this." When we laid out the body, we dressed it with an under garment, short night dress, cap, and pair of stockings. Mrs. Burdock

had previously taken these things out of a chest of drawers in the room. She ordered me to take the earrings out of her ears. I did so, and gave them to her, and she said "Those would help to bury her." Mary Evans and I afterwards went into Mrs. Burdock's parlour, and took tea. The night Mrs. Smith died, Mr. Wade came into the bed-room and looked at her. When it was daylight, I told Mrs. Burdock I was going home. She told me to ask my mother what I was to have for my short attendance. I called in the day, and told her three shillings. She said that was a good deal to pay out of her pocket, she having to bury her ; she then paid me. She told me never to tell anything of Mrs. Smith, who she was, or what she was, nor that I had ever lived with her, and if any one asked, to say she was a stranger and a foreigner, from far away in the East Indies ; nor don't you ever tell any one you saw me put any thing into the gruel, for people might think it was curious. I then left her. I was examined before the coroner. I did not then state that I had seen Mrs. Burdock put the powder into the gruel. The question was not put to me that I recollect. When I had heard that arsenic was a yellow powder, and that I had seen it put in the gruel, I was afraid to tell of it. I did not know it was arsenic, for I had never seen arsenic before. I was afraid, if I told of it, I should be the cause of Mrs. Burdock's death. I afterwards felt unhappy in my mind that I had not told of it, as I was afraid I should tell an untruth, if I did not tell. I then sent for Mr. Godfrey (Mrs. Smith's relation,) and stated to him that I had seen Mrs. Bur-

dock with some powder. I have now told the whole truth.

Cross-examined—I was before sworn to tell the truth. I did not tell the same story to the coroner. I went before the coroner twice. I was examined before I went before the coroner. I knew Mrs. Burdock was charged with the murder. The attorneys for the prisoner called upon me previously to my going before the coroner, but I did not tell them anything. I was examined by Mr. Alderman Tripp before that. I did not then tell the story I have told to-day, nor to the coroner. I can't recollect what I was asked on those occasions. I said I saw the gruel given. I have said that Mrs. Smith died in convulsions: I supposed so by her rolling in bed. I have lived at Mr. Salmon's in Belle-vue. I lived eight months at No. 12, Charlotte-street. I was out of place a long time before I told this story. I have had no money from Mr. Godfrey or Mr. Watkins. I recollect myself now—I received one shilling from Mr. Godfrey to buy me a cake for my lunch on my way home. Mr. Short examined me at his office, but I can't recollect whether it was a week ago, or when it was. He is the first person to whom I disclosed all I have said to-day. I did not take notice whether Mrs. Smith was dirty or clean. The room was very disagreeable. The cupboard was near the bed. I never saw it opened while Mrs. Smith was alive. Mrs. Smith sent me out for sixpennyworth of brandy the second evening, after dark.

The witness was here so completely overcome from exhaustion, having stood in the box more than three hours, that it was necessary

to carry her out of court. Her pulse and voice were almost completely gone.

Mary Allen, the mother of the last witness.—I recollect, in October, 1833, Mrs. Burdock coming to my house. She entered into an engagement for my daughter to stay with Mrs. Smith. She stated that Mrs. Smith was a very dirty old woman, and she must not on any account touch any thing after her, as she was in the habit of spitting in every thing. She said she was a foreigner, and came from the East Indies. My daughter has been at home with me for some time. She is not sixteen yet. She has been religiously educated: regularly attends divine service: is of a religious, steady, conscientious turn of mind.

Mary Ann Allen, the daughter, was here recalled.—I can't recollect whether my mother was present when Mrs. Burdock proposed that I should ask the three shillings a-week. I did not agree with Mrs. Burdock, but I agreed with Mrs. Smith. My mother told me that I should go with Mrs. Burdock for three shillings a-week. I had never seen Mrs. Smith before, but I knew Mrs. Burdock. I never told my mother the whole story. Mrs. Smith was not moaning and rolling about the bed before she took the gruel. I never said so. She moaned very quietly before she took it. I did not tell the coroner's jury that she moaned and rolled about the bed before she took the gruel.

Re-examined.—If I said before the coroner's inquest that convulsion was lying still, I misunderstood the question. I have no hope of reward for giving my evidence here.

BRISTOL,
SATURDAY, APRIL 11.

At nine o'clock this morning the examination of the witnesses was proceeded with.

Mary Ann Allen recalled and examined by the Court and Jury.—I am aware that the strongest parts of my evidence against the prisoner were not stated by me before the coroner. I omitted to state those facts, because I was afraid to do so. I was then aware arsenic was a yellow powder, and that it was poison. I was afraid, if I stated all, that I should be the cause of the prisoner's death. I mentioned them lately, because I was not happy in my mind, fearing I should tell an untruth if I did not state these facts. I first mentioned them to Mr. Godfrey; but I only told him part. I sent for him because I knew he was a relation of Mrs. Smith. It was some weeks after the inquest. I afterwards mentioned it to my fellow-servants at Mr. Vining's. I swear that no person had told me what had passed before the coroner. I read my own evidence in the newspaper, but my own evidence only. I had no occasion to read any other person's testimony. I heard my brother read some other parts. I had not heard anything about the powder being in two papers.

Mary Evans.—I lived servant with the prisoner at the time she was apprehended. Wade died in April last year. He used to live with the prisoner. I recollect Mrs. Smith coming to lodge with her. She lived there about a month before she died. Before Mrs. Smith came, the prisoner

seemed in very comfortable circumstances. I pledged Wade's watch before Mrs. Smith came, and it was taken out soon after she came, and before her death. I have also pledged things for the prisoner. I pledged some of her clothes. Mrs. Smith had a large and a small trunk and a carpet bag, they were very heavy. I have had a conversation with Mr. Collins, the prisoner's attorney, this morning. He took me out of the witness-room. The conversation was about a piece of furniture. The deceased had a watch. There were not any rats in the house. I never heard Mrs. Burdock complain of there being any. The day before Mrs. Smith died, the prisoner told me she was much worse. While Mary Ann Allen was gone home to tea, the prisoner said Mrs. Smith wanted some whey. She told me to turn it with a little vinegar. I made it, and she took it away. She took her some tea, some whey twice, and then some milk twice. Mary Ann Allen was upstairs when she took her the first milk. I went to bed, leaving some of the milk in a saucepan. Mrs. Burdock gave me directions to make up the fire. Mary Ann Allen was present. Wade was very unwell, and I had made him some gruel. I left half a packet of the groats in the kitchen. I put some water in the kettle before I went to bed. I was called up in the night, the prisoner telling me Mrs. Smith was dead. I said "That can't be," and Mary Ann Allen said she was, and begged me to get up. Mrs. Burdock told me to get some water and lay her out. After I had laid out the body, Mrs. Burdock gave me the things to put on it. She

took them from a chest of drawers. Mrs. Burdock then opened the cupboard, and took out different things. There were several bits of sugar in the cupboard. She said how covetous she must be to save up those things, and that the sugar must have been taken from her. She said she must be a drunkard to have so many bottles. I saw her take some bits of candle from the table drawer. She called her an old devil. I did not pay particular attention to what she said. The prisoner laughed. She has lived somewhat better since Mrs. Smith's death. She has kept a shop since. After her death, her bedroom door was kept locked.

Cross-examined.—I heard Mrs. Burdock several times ask her to have a medical man, but she said she would not, for she was not going to be killed by a medical man. I have heard Evans repeatedly say, that he wished the old devil was dead. I lived twelve years with Mrs. Burdock. At the time of Mrs. Smith's death, there was not a blue basin in the house, but there was one with a blue and green flower on it. This is the basin. There was not a chest of drawers in Mrs. Burdock's bedroom. I believe Evans slept in the house the night after the death. Mrs. Burdock was always very kind to the deceased. I heard Mrs. Smith say, with a smile, that she was very poor.

Re-examined.—I did not tell Mr. Watkins, this morning, that the drawers were in Mrs. Burdock's bedroom at the time of the death.

By the Court.—There was a slop-bucket kept by Mrs. Burdock's bedroom door, and it was Mary Ann Allen's duty to take the slops from Mrs. Smith's room. I will

undertake to say, Mary Ann Allen never carried down the bucket, but she brought some down in a basin. There was a basin, and soap and water, in Mrs. Burdock's room on the day of the death. She occasionally used a nail brush. The drawers were brought in the winter season, but it was not the last season. There was a dressing-table in the room, with a small drawer in it. I have said that Mrs. Smith came to her death unfairly, but that I had no hand in it, but I did not understand the question. I can't believe she did die unfairly.

F. N. Watkins.—I had a conversation with the last witness this morning. She told me, thrice over, that there was a chest of drawers in Mrs. Burdock's bedroom at the time of Mrs. Smith's death. I asked her what furniture was in the room? She said there was a mahogany chest of drawers there, with mahogany handles. I took it down in writing, and read it to her.

Witnesses were called, who stated that the deceased was a very clean woman in her habits, and that she had a very handsome gold watch and bracelets. She was very temperate.

Other witnesses proved the deceased to have been in possession of at least 1,000*l.* shortly before her death.

— Paul, a banker's clerk, proved that 400*l.* was deposited in the bank on the 30th of January, 1834, in the name of Mary Williams.

— Norman, another clerk in the same bank, proved that, on the 20th of May, 1834, he received 100*l.* in gold, which, together with the 400*l.*, were deposited in the

names of Collins and Blethyn, as trustees for the prisoner.

Flora Bonner.—I saw prisoner at her house in November, 1833. I said to her, "I understand Mrs. Smith has died at your house." She answered she had, and she had buried her; that she had no property at her house, and she could ill afford to do it, but that Wade did not like to have her buried from his house by the parish. The prisoner, in reply to my question, said that the deceased had no good clothes, or trinkets, or a gold watch; that she had had a sore throat, and died very suddenly; that she had no relations. I told her she had, and that they were coming to claim her property. She said they might, for she had nothing for them.

The preparations of the stomach, the duodenum, and a portion of the jejunum, were produced, and there appeared to be a yellow patch as large as a crown piece, with a large number of smaller patches on the stomach at its pyloric extremity.

William Babington.—I knew the prisoner about six months before October, 1833. I had known Wade five or six years; he lived with the prisoner as her husband. Wade had a wife, who is still living. In October, 1833, before Mrs. Smith's death, the prisoner said she did not know what she should do, as Wade had been so long ill upon her hands, that almost every thing was gone. Wade was indebted to me at that time, thirteen shillings and tenpence, and I made application to the prisoner for the payment of that debt. She told me she had not a shilling in the world, and could not pay me. I was at their house the day after the funeral. I then saw the

prisoner, who asked me why I did not come down to see the funeral. She told me the old lady had died very poor, and she had had much trouble to bury her, as the things she had left behind her were not worth fifteen shillings. I afterwards saw that they were getting things comfortably about them. The prisoner said she had a good property left her by her uncle. Wade set up in business, and she told me it was with 400*l.* of her money. This was four months after Mrs. Smith's death. I never knew of any rats at the prisoner's house.

Charles Read.—I am a wine-merchant; I knew Mrs. Smith's brother-in-law at Oporto. Upon hearing of her death I went to the prisoner's house on the 26th of November. I then saw Mrs. Burdock and Wade. I made inquiries as to Mrs. Smith's property. The prisoner said she died very poor, and that her clothes were in so bad a state that she was compelled to burn them, and that she would not produce anything belonging to her till I paid the funeral expenses, which amounted to 15*l.* I went again the next morning, when Wade said there was a box which contained some papers belonging to the prisoner; she ultimately agreed that we should each get a professional man to meet. We went again the next morning, and the box was at length produced and opened, and the papers were examined, and there was an old will of Mr. Smith's in favour of his wife. There were no deeds. Mrs. Smith had dressed very respectably since the death of her husband, five years ago. I knew she had possessed property. I had paid her

700*l.* in 1829. I paid her an annuity of 15*l.*

Thomas Blathyn. — I knew Wade in November, 1833. I witnessed Wade's will. He died in April. The prisoner made application to me for advice as to proving a will. I saw her again, and she asked me to be trustee to a settlement on her marriage with Mr. Burdock. She wished to transfer 500*l.* into her trustees' names. There was another 100*l.* paid into the bank. There was some stock in trade valued at 700*l.* which was also settled upon her.

Elizabeth Hayman stated, that the prisoner had told her that a rich old lady was living with her, who had left her property to Wade.

Thomas Manly. — I am nephew to the deceased. I had not seen her for four years before her death. I had seen in her box 700 sovereigns and a 100*l.* note, and two gold watches, one of which was a repeater, a variety of gold rings, and other trinkets. This was in August, 1829.

Thomas Griffiths. — I am a constable, and I called at the prisoner's and asked for Mary Evans, as I had to take her to the council-house. Prisoner said — "mind, Mary, you know nothing about it." She followed her to the street door and repeated the caution. She said it to her more than six times.

F. N. Watkins. — I am a constable. I have been employed in this business. On the 11th of December last I accompanied Mr. Short, Miss Manly, and Mr. and Mrs. Godfrey to the house of the prisoner. She and Burdock were there. Mr. Short gave his name, stating that he was the solicitor for Miss Manly, the administratrix

of the deceased, and requested her to give up all the property she possessed of the deceased. She stated she had no such property, for that Mrs. Smith did not die worth 30*s.* Mr. Short said she had a gold watch, and that there must have been some money. She said it was no such thing; that Mrs. Smith, had not a sixpence when she died, nor had she seen a watch or any trinkets. She said there was a bill due to her of 28*l.*, and when that was paid, she would give up what she had belonging to Mrs. Smith. Mr. Short said "you'll be good enough to furnish me with a bill of particulars." She then left the room and returned with a paper in her hand. Mr. Short rose up to receive it, but she refused to give it him, and gave it to Burdock, who read over the items. Mr. Short asked him for a copy but Mrs. Burdock refused to let him have it then, but if he would send the following day the bill or a copy of it should be given. She said she had paid 1*l.* to a medical man for examining the body. Mr. Short said "you have paid it." She replied she had not, but she should have to pay it. I afterwards called for the bill, and she said her solicitor had desired them not to furnish it.

Mary Ann Allen recalled by the court. — This is not at all like the basin in which the gruel was brought in; it was a dark blue figured upon white. In this pattern there is green and yellow.

By the Jury. — The drawers had brass knobs in front, with a square top. I did not notice of what colour they were. There was a looking-glass standing on the table. The drawers were not very high.

This closed the case for the prosecution.

The following witnesses were called for the prisoner:—

Charlotte Thomas.—In October, 1833, I lived with Mrs. Smith. I stayed there nine days. I left because I was taken very ill. Mrs. Smith hired me at 2s. 6d. a-week. Mrs. Burdock paid me when I left. Mrs. Smith was in bed, and appeared to be very ill. She did not take her clothes off when she went to bed. I never saw her have more than a cup of tea all the time I was there. Mrs. Burdock asked her every day if she would have something to take. She was very kind to her. She asked her to let her send for a doctor, but she said she did not want a doctor to murder her. I fetched brandy, and rum, and wine, for her. I heard Mrs. Burdock tell her she wished she would leave her, as she did not pay her rent. She was not at all a clean woman. She used to spit blood. Mrs. Smith told me to take lodgings for her. I partly took a room for her in College-street, but Mrs. Smith said it was too dear, as it was 8s. a-week. I did not see any money, or watches, or trinkets, or parchments.

Cross-examined.—I fetched half a pint of brandy every night. She put it under her pillow. Mrs. Burdock gave me 2s. every night for it. I brought the wine three times a-week, in the morning, but I don't know the quantity; but I paid 1s. for it. Mrs. Smith washed her mouth with it. I fetched a noggin of rum every other day for which I paid 1s. She drank it out of a teacup. I fetched medicine for her every other day. I always had the money from Mrs. Burdock. I never saw Mr. Hughes when I went for the medicine. I am sure it was Mr. Hughes's shop.

The Sunday after I left (while Mrs. Smith was lying dead) I called to see Mrs. Smith, and Mrs. Burdock told me she had left her, and she supposed she was gone to Bath. I did not know that Mrs. Smith was dead till the day of the inquest. Mrs. Smith's cups and saucers were dark blue.

At half-past 10 o'clock, the further proceedings were adjourned to 9 o'clock on Monday morning.

BRISTOL,
MONDAY, APRIL 13.

On that day, the learned Recorder occupied nine hours in his summing up.

The jury retired for rather more than a quarter of an hour, and then returned a verdict of Guilty.

The prisoner addressed the judge in an audible voice, though rather faltering, saying, "My lord, I am innocent, I am innocent. Standing at this bar, I call upon the Almighty to put his judgment upon me, if what I am now saying is not true. I know nothing of it, I am innocent, and the Almighty, I hope, will put his judgment upon me at this moment, if I am not innocent." The judge then passed the sentence of the law, directing her to be hanged on Wednesday, and her body to be buried within the precincts of the gaol. The sentence was executed.

REMUNERATION OF DRAMATIC AUTHORS.

Jerrold v. Morris and another.

This was an action brought by Mr. Jerrold to recover 100*l.* as the balance of a sum of 150*l.*, which he claimed as the amount of remuneration to which he was entitled for a comedy of his which was

brought out and acted for thirteen nights at the Haymarket Theatre, of which the defendants, Messrs. Morris and Winston, are proprietors and managers.

The plaintiff's case was conducted by Mr. Sergeant Talfourd and Mr. B. Andrews; and the defence by Mr. Sergeant Atcherly and Mr. Jervis.

Mr. Andrews opened the pleadings. In answer to the declaration the defendants pleaded, that they had paid the plaintiff 50*l.*, which sum was an adequate remuneration for the piece in question.

Mr. Sergeant Talfourd stated, the facts to the jury. The piece, to recover compensation for which this action had been brought, was called *Beau Nash, or the King of Bath*; and the object which the author had in view, was to present to the world a dramatic picture of the celebrated individual who first collected together that brilliant circle over whose entertainments he presided. This play was not the production of an unknown or unsuccessful dramatist; it proceeded from the pen of the author of the *Rent Day*, the *Housekeeper*, and many other pieces, which had become favourites with the public. *Beau Nash* was first represented on the 16th of July, 1834, and the hero of the piece was personated by Mr. William Farren. It was as successful as its author could desire it to be; it was announced for repetition amidst loud and general applause; and it was performed thirteen successive nights. No stress, he submitted, could be laid upon the fact that Mr. Jerrold had received 50*l.* on the fourth night of the performance of his play, because it was well known that au-

thors were not in quite such flourishing circumstances as managers, and that they were seldom in a situation to refuse money when it was offered to them. The learned Gentleman concluded by saying he had no doubt that a verdict would be given for the full amount claimed by his client.

Mr. Benjamin Webster.—I am an actor, and performed at the Haymarket Theatre during the season of 1834. I recollect that during that season—on, I believe, the 16th of July—a piece called *Beau Nash* was brought out, and played on thirteen nights. It was a successful piece. Six nights' representation does not establish the decided success of a play, but I think nine or ten nights does; there are, however, various opinions on this point.

Mr. Stephen Price.—I am proprietor of the two principal of the American Theatres, and was lessee of Drury Lane Theatre from 1826 to 1830; during that period I had frequent dealings with dramatic authors for various pieces; the scale of remuneration depends partly on contract and partly on custom, but more generally on custom, more especially among the better dramatic authors; when I first took the theatre, I found that a scale of remuneration had been graduated, and that both the great theatres had acted on it—I also adopted it; I know Mr. Jerrold; he is an author of high reputation and great merit; he is the author of the *Rent Day*, a piece of infinite merit. I think that the fair remuneration for such a piece, would be 12*l.* 10*s.* a-night. I never paid less than 10*l.* a-night, for a three act piece, and I have paid for some from 15*l.*

to 30*l.* If a piece be repeated after the ninth night, it is, in my opinion, a proof of its positive success; 50*l.* an act is by no means an unreasonable remuneration for a play which has run thirteen nights; the remuneration for tragedies and comedies in five acts was of course greater; in such cases the author was entitled to 100*l.* on the third, sixth, and ninth nights of performance, and in some cases another 100*l.* was given after the 20th night, but this generally resulted from a particular agreement.

The Lord Chief Justice.—If a piece does not reach the third representation, does the author get anything?

Mr. Price—No, my lord.

Mr. Charles Morton.—I am a dramatic author. *Speed the Plough* is mine, and I have written many other dramatic pieces. I have written pieces for both the winter theatres, but only one for Mr. Morris—namely, *Separation and Reparation*, but the remuneration did not depend on the nights it was played. I received 150*l.* for it; it contained only two acts.

Mr. J. R. Planché.—I am the author of several dramatic works, some of which were brought out at the Haymarket Theatre; they were never more than two acts, and I received 100*l.* for each. I witnessed the representation of *Beau Nash*, and thought it very successful. The sum demanded is, in my opinion, no more than the fair remuneration.

Cross-examined by Mr. Sergeant Atcherley.—I have the honour to be a member of the Dramatic Authors' Society. That society was established for the purpose of preserving the rights of authors. It is a sort of conservative club, and has

existed about two years. Its object is to protect “the most tiresome and laborious of all mental exertions against the destructive tyranny of managers.” It is a conservative club for protection against the destructives. I am not the author of the *Sledge-Driver*. The receipt shown me is my receipt. It is a receipt for 50*l.* paid by Mr. Morris to me for the *Sledge-Driver*.

Mr. Sergeant Atcherley.—How came you to receive the money, if the piece was not yours?

Mr. Planché.—I received it, as you gentlemen of the law say, “in right of my wife.” The piece was written by Mrs. Planché, and I received 50*l.* for it by agreement. I do not know what sums were paid for the pieces written by Mr. Charles Mathews and Mr. Buckstone, nor what Miss Bowden received for the *Duel*.

This was the plaintiff's case.

Mr. Sergeant Atcherley addressed the jury for the defendants. This piece had positively produced to the defendants a loss out of pocket of nearly 200*l.*, in addition to the sum of 50*l.* which had been paid to Mr. Jerrold. The expenses of the Haymarket were 100*l.* a-night; and the receipts at the doors on each of the various nights on which *Beau Nash* was performed, were as follows:—The 1st night, 81*l.* 11*s.*; the 2d, 80*l.* 12*s.*; the 3d and 4th, 220*l.* 14*s.*; the 5th, 105*l.* 12*s.*; the 6th, 84*l.* 1*s.*; the 7th, 80*l.* 6*s.*; the 8th, 76*l.* 5*s.*; the 9th, 90*l.* 19*s.*; the 10th, 83*l.* 16*s.*; the 11th, 97*l.* 16*s.*; the 12th, 85*l.* 9*s.*; and the 13th, 53*l.* 11*s.*; whilst the night *Hamlet* was played the receipts amounted to 122*l.* 16*s.*; so that on the first night on which the piece was in-

mitted, and *Hamlet* performed, the manager had gained 22*l.*; and on the whole of the 13 nights of the performance of *Beau Nash* he had lost nearly 200*l.*; the receipts being only 1,100*l.* and a fraction, and the expenses 1,300*l.*

Witnesses were then called to prove that the play, though it passed off with applause, still went off "flatly."

Mr. W. Farren stated that *Beau Nash* was neither a lively nor dull piece; that there was considerable applause at the end of the first night's performance; that the first two acts went off well; but the third was dull and heavy; that the piece was not attractive. Although heavy, it was decidedly clever.

The jury returned a verdict for the plaintiff;—damages 100*l.* in addition to the 50*l.* already received by the plaintiff.

JUDICIAL COMMITTEE, PRIVY
COUNCIL, FRIDAY, MAY 23
—JULY 3.

*Swift against Swift, otherwise
Kelly.*

This was an appeal from the Arches Court of Canterbury, which affirmed the sentence of the Consistory Court of London. The suit, as originally instituted, was for restitution of conjugal rights, promoted by Mr. Richard William Swift against Mrs. Elizabeth Catherine Swift, claiming to be Miss E. C. Kelly, the suit being met by this lady by a plea which brought in issue the validity of the alleged marriage at Rome, on the 25th of March, 1831. Mrs. Kelly and her daughter (natives of Ireland) went to the Continent, attended by a male and female servant. Miss Kelly was of the age of 19, and possessed

of a considerable fortune. They became acquainted at Florence with the Countess de Morlandi and her family, (also natives of Ireland,) consisting of a son, Mr. Swift, the party in the cause, and a daughter, married to an Italian gentleman, the Chevalier de Sodra. The families became intimate, and proposals of marriage were made by Mr. Swift to Miss Kelly, through her mother, which the latter civilly declined. The intimacy of Mr. Swift and Miss Kelly, however still subsisted, and Mr. Swift set about to effect a clandestine marriage between them. With this view he obtained from the Papal authorities at Rome, where the parties then were, a faculty, authorizing a priest to act as parish rector, and a licence for the solemnization of the marriage, on condition that the parties abjured the Protestant religion, and were admitted into "Holy Mother Church," which Mr. Swift represented they were both desirous of doing. On the 25th March, 1831, about 11 at night, the Abbate Lepri, with two Italians, named Mazzio and Gregorio, proceeded to the hotel where Mrs. Kelly and her daughter resided, with the documents for the abjuration and marriage prepared. Miss Kelly left her mother in the drawing room, and went, unknown to her, into a room in another part of the hotel, where it was stated the ceremonies of abjuration and marriage were both performed, in the space of about a quarter of an hour. Miss Kelly, in her plea, alleged that she was ignorant of what was passing on this occasion (though a ring was placed upon her finger, according to the witnesses, and she signed the documents), but supposed she was

merely signing a promise to marry Mr. Swift when she came of age.

In the Court below, Sir John Nicholl held that, according to the evidence in the case, as to the Roman municipal law, a real conversion was essential to the validity of a marriage, where the parties had been Protestants; that the authority for the marriage had been granted on that supposition, whereas the conversion was admitted to have been simulated: therefore the authority for the marriage was void, and, consequently, the marriage itself was void.

Lord Brougham delivered the judgment of their lordships. After taking a short view of the facts of the case up to the 25th of March, the day of the alleged marriage, he observed that the testimony of the three witnesses present at the marriage differed as little as that of witnesses usually do. According to their statement, Miss Kelly recited the formula of abjuration, received absolution, and listened to an exhortation on the indissolubility of the marriage tie, and on the obligation of educating the children of the marriage in the Roman Catholic faith. Further, the ring was blessed by the priest, and placed upon the bride's finger, and both parties were asked whether each would take the other as husband and wife, and each answered "yes." The acts of marriage and abjuration were subscribed by both parties. There were two questions in this case: first, whether or not, supposing the parties intended to contract a marriage, such a contract as this was valid by the law of Rome; secondly, whether or not, supposing the acts done constituted a marriage by the law of Rome, each party knowingly consented to

marry the other. There was a third question, namely, whether there had been cohabitation; but this was wholly immaterial with respect to the question of the validity of the marriage, though it might, if proved, tend to render Miss Kelly's allegation of ignorance of the contract less credible. The ground of the judgment under appeal proceeded upon the assumed fact, that Miss Kelly was not cognizant of the marriage and of the abjuration. Assuming the position most favourable for the defendant, namely, that the abjuration of the Protestant religion was a condition precedent to the marriage, had this condition precedent been performed? It had been said, that this could not be, because neither party intended hereby to renounce the Protestant religion; that it was accompanied by no act of the mind, but done for a mere secular purpose, a clandestine marriage. But their lordships were all of opinion that, where the act had been done, it was not competent for them to enquire into the real motives. There was nothing to show that where there had been an actual abjuration, supposing even a concomitant intention to return to the Protestant religion by a second abjuration, a marriage solemnized on the faith of the first abjuration would not be valid. In this case, the Roman lawyers generally, who had assigned their reasons for thinking this marriage invalid, had assumed that Miss Kelly's abjuration was insincere, or that she was not cognizant of what had taken place at the marriage. Upon a consideration of the whole of the evidence of the Roman lawyers, their lordships could not see anything in it to justify a belief that a Roman tribunal would set

aside a marriage solemnized by a Roman priest, on the ground that the party was insincere; or that such an issue would be tried as the motives of the party. By the general law, no marriage would be void merely on the proof of a false representation, unless one party imposed upon the other. Miss Kelly's bare assertion that she did not understand the ceremony, or knew that she was marrying Mr. Swift, was not sufficient. What did she understand? Why did she leave her mother's drawing room, and go up-stairs merely to sign a promise to marry? It was taxing their lordship's credulity too much to require them to believe the account she gave—that she should risk her mother's anger, of whom she stood in awe, and go through this ceremony, merely to repeat a

promise already given. All this was quite independent of the ring, of the act of abjuration, of the absolution, of the exhortation, spoken to by three witnesses, whose characters were unimpeached, except from their being parties in a clandestine marriage, which inference was, moreover, much weakened by the consideration that their lawful superiors were aware of the whole proceeding. The conduct of the young lady subsequent to the contract threw a material light on the subject. She still continued to correspond with Mr. Swift, and to employ fond expressions towards him.

The judgement of the Court below was reversed; the appellant was dismissed; and the respondent was directed to return to cohabitation with her lawful husband.

PUBLIC DOCUMENTS.

DOMESTIC.

FIRST REPORT *from the* CHURCH COMMISSION, *as* FINALLY
SETTLED MARCH 17.

REPORT.—*To the King's most
Excellent Majesty.*

We, your Majesty's Commissioners, appointed by a commission under the Great Seal bearing date the 4th day of February, 1835, to consider the state of the Established Church, with reference to ecclesiastical duties and revenues, having entered upon the inquiry committed to us, humbly offer to your Majesty this our first report.

With the exception of a subject to which we shall advert in a subsequent part of our report, we have hitherto directed our attention to that branch of the inquiry which stands first in your Majesty's commission—namely, “the state of the several dioceses in England and Wales, with reference to the amount of their revenues, and the more equal distribution of episcopal duties, and the prevention of the necessity of attaching by *commendam* to bishoprics benefices with cure of souls.”

In order to present to your Majesty our suggestions upon this subject in the most convenient form, we have arranged them under the following heads—“TERRITORY,” “REVENUE,” and “PATRONAGE.”

TERRITORY.

The map of England and Wales, marked according to their present ecclesiastical divisions, will exhibit the great inequality which exists between the different dioceses. This inequality, though diminished, was far from being remedied by the erection of new sees at the Reformation; * and the inconveniences resulting from it have been greatly increased by the immense and partial growth of the population.

Although various circumstances render it impossible to establish a perfect equality of dioceses, we are of opinion that the disparity which now exists between them will admit of considerable diminution.

The extent of episcopal duties, while it increases in some degree with the population, is also materially affected by the number and distance of benefices within each diocese. It is not, therefore, to population alone that we deem it right to look on the present occasion. Attention must likewise be paid to other local circumstances.

* The bishoprics of Chester, Peterborough, Oxford, Gloucester, and Bristol, were erected in the reign of Henry VIII.

We are not prepared to recommend any increase in the total number of episcopal sees; but we are of opinion, that by the union of certain existing bishoprics, of which the combined duties will not be too onerous for a single bishop; by the erection of two new sees in the province of York; and by the transfer, in some cases, of a district from one diocese to another, an arrangement may be made for the general performance of episcopal duties more satisfactory than that which at present subsists.

The maps, and tabular statements, which accompany this report, will exhibit the actual condition of the several dioceses in England and Wales, and the alterations which we venture to suggest.

Under this head we proceed to submit to your Majesty the following propositions, subject to such modifications as, upon further inquiry, may appear to be advisable:—

1. That two new sees shall be erected in the province of York—one at Manchester, and the other at Ripon; at each of which places there is a collegiate church, well adapted for a cathedral.

2. That the diocese of Manchester shall consist of those parts of the county of Lancaster which compose the deaneries of Amounderness, Blackburn, Leyland, Manchester, and Warrington; and which now form part of the diocese of Chester.

3. That the diocese of Ripon shall consist of those parts of the county of York which compose the deaneries of Richmond, Catterick, and Boroughbridge, in the diocese of Chester; of the deanery of Craven, and of such parts of the

deaneries of the Ainsty and Pontefract, in the county and diocese of York, as lie to the westward of the following districts:—viz., the Liberty of the Ainsty, and the Wapentakes of Barkston Ash, Osgoldcross, and Staincross.

4. That to the diocese of Carlisle shall be added those parts of Cumberland and Westmoreland which now form part of the diocese of Chester,—the deanery of Furnes and Cartmel, in the county of Lancaster, and the deanery of Kirkby Lonsdale in the counties of Lancaster and York, also in the present diocese of Chester,—and the parish of Aldeston, in the county of Cumberland, which is now inconveniently situate in the diocese of Durham.

5. That, further, with respect to the diocese of Durham, that part of the county of Northumberland called Hexhamshire, which now belongs to the diocese of York, shall be transferred to that of Durham; and that a few insulated parishes in Yorkshire, now belonging to the diocese of Durham, shall be transferred to that of York, or Ripon, by which dioceses, under the proposed arrangement, they will be respectively surrounded.

6. That to the diocese of Chester, reduced according to the foregoing propositions, shall be added those parts of the county of Salop which are now in the dioceses of Lichfield and Coventry, and St. Asaph; and which must then be included, with the remainder of the diocese of Chester, in the province of York.

7. That the county of Nottingham shall be transferred to the diocese of Lincoln, from that of York, which diocese will then consist of the whole county of York,

except the parts which are to be included in the diocesses of Carlisle and Ripon.

8. That the diocese of Lincoln shall in future consist of the counties of Lincoln and Nottingham, which latter county will then be in the province of Canterbury.

9. That the sees of St. Asaph and Bangor shall be united; and that the diocese shall consist of the whole of the two existing diocesses (except that part which is in the county of Salop,) and of all those parishes in the county of Montgomery which now belong to the diocesses of St. David's and Hereford. One advantage which will result from the union of these two sees will be the opportunity afforded of applying a part of the impropriations, which constitute nearly the whole property of the bishoprics, to the augmentation of poor and populous vicarages in the united diocese.

10. That those parishes in the county of Hereford which are now in the diocese of St. David's, and the deanery of Bridgenorth, locally situate between the diocesses of Lichfield and Hereford, shall be added to the diocese of Hereford; that those parishes which are in the county of Worcester and diocese of Hereford shall be transferred to the diocese of Worcester, and those which are in the county of Montgomery and diocese of Hereford to the diocese of St. Asaph and Bangor.

The diocese of Bristol presents a peculiarly inconvenient arrangement. It consists of the city of Bristol, with some adjacent parishes; and of the county of Dorset, which is separated from the seat of the bishopric by the county of Somerset.

We recommend, as a more con-

venient arrangement, that the county of Dorset shall be transferred to the diocese of Salisbury; and that the remainder of the present diocese of Bristol, consisting of the city of Bristol and its adjacent parishes, shall be united to some other diocese.

Two modes of effecting this object have suggested themselves to us. The first, which is that of uniting the bishoprics of Gloucester and Bristol, involves this objection, that the great and populous city of Bristol would no longer be the residence of a bishop. The other is that of uniting the diocesses of Bristol and Llandaff, the latter having no house of residence for its bishop. If this plan be adopted, it cannot be denied that the interposition of the Bristol Channel between the two divisions of the diocese will produce some inconvenience, and that the bishop will be resident at a considerable distance from the greater part of his diocese: but, under all the circumstances of the case, we are prepared to recommend—

11. That the sees of Llandaff and Bristol shall be united; and that the diocese shall consist of the city of Bristol and adjacent parishes, now in the diocese of Bristol, and of the present diocese of Llandaff; with the addition of those portions of the county of Monmouth which are now in the diocese of St. David's and Hereford, and of certain parts of the deanery of Brecon now in the diocese of St. David's.

We further propose—

12. That the diocese of Gloucester shall consist of the county of Gloucester (except those parishes which are now in the diocese of Bristol, and that part of the deanery of Campden which lies to the north-

east of the chapelry of Snowhill,) of the deaneries of Malmsbury and Cricklade, in the county of Wilts, now in the diocese of Salisbury, and of the parishes of Red Marley, Stanton St. James, Chaseley, Eldersfield, Bushley, Bredon, with Norton and Cutsdean, Overbury, with Washbourne, Teddington and Alston, Sedgbarrow, and Icomb, now in the county and diocese of Worcester.

13. That the diocese of St. David's shall consist of the present diocese, except those parts which are to be transferred to the dioceses of St. Asaph and Llandaff.

14. That the diocese of Worcester shall consist of the whole county of Warwick, part of which is now in the diocese of Lichfield and Coventry, of the county of Worcester, excepting the parishes transferred to the diocese of Gloucester, and of that part of the deanery of Campden which is to be taken from the diocese of Gloucester.

15. That the diocese of Lichfield shall consist of the counties of Stafford and Derby.

16. That the diocese of Peterborough shall consist of the counties of Northampton, Rutland, and Leicester; the last county being added to it from the present diocese of Lincoln.

17. That the diocese of Ely shall be increased by the counties of Huntingdon and Bedford, now in the diocese of Lincoln,—by the deaneries of Lynn and Fincham, in the county of Norfolk, and diocese of Norwich,—and by the archdeaconry of Sudbury, in the county of Suffolk, and diocese of Norwich, with the exception of the deaneries of Sudbury, Stow, and Hartesmere, which will remain in the latter diocese.

18. That the diocese of Norwich

shall consist of the counties of Norfolk and Suffolk, with the above-mentioned exceptions.

19. That the diocese of London shall consist of the metropolis and parts adjoining—namely, the city of London and county of Middlesex, the parishes of Barking, East Ham, West Ham, Little Ilford, Low Layton, Walthamstow, Wanstead St. Mary, Woodford, and Chingford, in the county of Essex, all in the present diocese of London; the parishes of Charlton, Lee, Lewisham, Greenwich, Woolwich, Eltham, Plumstead, and St. Nicholas, Deptford, and St. Paul, Deptford, all in the county of Kent, and diocese of Rochester; the borough of Southwark, and the parishes of Battersea, Bermondsey, Camberwell, Christchurch, Clapham, Lambeth, Rotherhithe, Streatham, Tooting, Graveney, Wandsworth, Merton, Kew, and Richmond, in the county of Surrey, and diocese of Winchester; and the parishes of St. Mary Newington, Barnes, Putney, Mortlake, and Wimbledon, in the county of Surrey, and in the peculiar jurisdiction of the Archbishop of Canterbury; together with all extraparochial places locally situate within the limits of the parishes above enumerated, except the district of Lambeth-palace, which shall remain in the diocese of Canterbury.

In arranging the diocese of London, our great object has been to bring under the jurisdiction of the same bishop the metropolis and the suburban parishes; and, in assigning the boundaries of the diocese, we have adopted those fixed by an act passed in the fourth and fifth years of your majesty's reign, as comprising the metropolitan district.

In consideration of the great additional population which will then be placed under the superintendence of the bishop of London, we have thought it right to relieve that diocese from the whole county of Hereford, and from those parts of the county of Essex which are not included within the new limits.

20. That the diocese of Rochester shall consist of the city and deanery of Rochester, of the county of Essex (excepting those parishes which will remain in the diocese of London), and of the whole county of Hertford; and that an arrangement shall be effected at the earliest convenient opportunity by which a residence for the bishop of Rochester may be provided in the county of Essex or Hertford, instead of his present house of residence at Bromley in Kent.

21. That the diocese of Oxford shall be increased by the addition of the county of Buckingham, from the diocese of Lincoln, and of Berkshire from that of Salisbury.

22. That to the diocese of Salisbury, reduced according to the foregoing propositions, shall be added the whole county of Dorset, now part of the diocese of Bristol.

23. That the diocese of Canterbury shall consist of the county of Kent (except those parts which are to be included in the dioceses of London and Rochester), and of the district of Lambeth-palace, and the parishes of Addington and Croydon, in the county of Surrey.

24. That the diocese of Winchester shall remain unaltered, except as to those parts which are to be transferred to the dioceses of Canterbury and London.

25. Some doubts having been raised as to the jurisdiction of the bishop of Exeter over the Scilly Islands, we think that those

doubts should be removed. No other suggestion is offered respecting that diocese; nor is it proposed that any alteration should be made in the diocese of Bath and Wells, or in that of Chichester.

We further propose—

26. That all parishes not specified in this report, which are locally situate in one diocese, but under the jurisdiction of the bishop of another diocese, shall become subject to the jurisdiction of the bishop of the diocese within which they are locally situate.

We have used our best endeavours to learn the opinions of the several bishops respecting these proposed arrangements, as far as they affect their respective dioceses, and have availed ourselves of many suggestions which their local knowledge enabled them to supply.

If your Majesty shall approve of the above propositions, it will be necessary that we should consider of some plan for providing a residence for each of the bishops of Manchester and Ripon; and also for the bishop of Lincoln, whose residence at Buckden will not then be within his diocese.

The adoption of the alterations now suggested will involve the necessity of varying the limits of some archdeaconries and rural deaneries; and we further think that it will be highly expedient to place every parish within a deanery, and every deanery within an archdeaconry; and that no archdeaconry should extend into more than one diocese.

REVENUE.

In considering the subject of episcopal revenues, we have been materially assisted by the returns made to the commissioners appointed under a commission issued by your majesty in the year 1832,

and extended in the years 1833 and 1834, for inquiring (among other things) into the “revenues and patronage belonging to the several archiepiscopal and episcopal sees in England and Wales.”

These returns generally present the average of three years ending the 31st of December, 1831; but in some instances they contain corrections to a later date.

As the great part of the episcopal revenues arises from fines on the renewal of leases, of which some are granted for three lives, renewable when a life drops, and others for twenty-one years, renewable every seven, and in towns for forty years renewable every fourteen, it

is manifest that a period of three years is too short to exhibit a correct average of the annual value of the several sees; and that an average so taken will show an excess, where large fines have recently accrued, and a deficit where no fine, or an unusually small amount of fines, has been received. But as this point has been adverted to by the bishops in estimating the probable increase or diminution of the income of their respective sees, we may venture to refer your majesty to the following table, framed from those returns, as containing information sufficiently accurate for the purposes of this report.

Net income on 3 years average, ending Dec. 31, 1831.	Probable Causes of Increase or Diminution.	Estimated future net Income.
	DIOCESS.	
	CANTERBURY.	
£ 19,182	Expected increase of 1,544 <i>l.</i> shown by the following statement:—from fines, 1,366 <i>l.</i> , and from the diminution of the expenses of repairs of farm buildings, 400 <i>l.</i> £1,766	£ 17,060 gradually increasing to 20,700 <i>l.</i> in 1873.
	Deduct therefrom in respect of yearly allowance to be henceforth made to lessees of estates of the see, for reversionary augmentations, to the amount of 1,040 <i>l.</i> , granted by the archbishop to poor livings in the patronage of the see 222	
	£1,544	
	One-fortieth part of a sum of 60,000 <i>l.</i> borrowed on mortgage under an act of Parliament for rebuilding Lambeth palace, and making additions to the mansion at Addington, is payable yearly with interest on the principal remaining unpaid.	
	The present yearly payment amounts to 3,786 <i>l.</i> including interest, which will decrease at the rate of 60 <i>l.</i> every year.	
	The last payment will be in 1873.	

Net income on 3 years' average, end- ing Dec. 31, 1831.	Probable Causes of Increase or Diminution.	Estimated future net in- come.
<hr/>		
	YORK.	
£ 12,629	The average annual amount of fines on renewals for the three years ending Dec. 31, 1831, exceeded, from particular circumstances, the usual average by at least 2,000 <i>l.</i> , and there will be a further decrease of about 20 per cent. in the amount of the proceeds of the estates generally, from the diminution of the value of agricultural produce: the income of the see will also be further reduced by augmentations of the small livings in the patronage of the archbishop, about to be made, in addition to those already granted.	£ 10,600
	LONDON.	
13,929	It is expected that there will be a decrease in the future average income arising from fines upon the renewals of leases for lives, and from woods and manorial profits, to the amount together of 1,725 <i>l.</i> , and a further decrease from intended augmentations of the livings in the patronage of the see, in addition to those already made. Besides which, 1-20th part of the sum of 10,000 <i>l.</i> borrowed on mortgage for rebuilding London-house, is payable yearly, with interest on the principal remaining unpaid. The last payment will be in 1839.	12,204 after 1839
	DURHAM.	
19,066	No accurate judgment can be formed as to the future average amount of fines on the renewal of leases of mines and quarries, as the profits attending them must depend principally upon the several districts in which the collieries will be worked. Since the above return, the bishop has granted permanent augmentations to small livings in his patronage to the amount of 1,170 <i>l.</i> per annum out of the revenues of the see. No other ground for expecting increase or decrease.	17,890
	WINCHESTER.	
11,151	The augmentations already made of small livings in the patronage of the see will reduce the annual income by about 400 <i>l.</i> It is intended further to augment all the small livings in the gift of the see to 200 <i>l.</i> per annum. Except in respect of augmentations, there are no grounds for expecting that the future income will vary materially from the sum stated.	10,750

Net income on 3 years' average, end- ing Dec. 31, 1831.	Probable Causes of Increase or Diminution.	Estimated future net in- come.
ST. ASAPH.		
6,301	<p>The greater part of the income of the see arises from tithes, which have gradually declined since 1827, when they amounted to 6,616<i>l</i>.</p> <p>By a supplemental statement it appears that the produce of the tithes was in 1834, 5214<i>l</i>, which is below their average for the three years ending in 1831 by the sum of 507<i>l</i>., and that the produce of the mines was in the same year 363<i>l</i>., which is less than the same average by the sum of 415<i>l</i>., showing the income of the year 1824 to be below the average stated by the sum of 1,023<i>l</i>.; and there seems to be no prospect of improvement.</p>	5,280
BANGOR.		
4,464	<p>By a supplemental statement it appears that the tithes in the years 1833 have fallen below the average of the three years ending Dec. 31, 1831, by 650<i>l</i>., or about that sum, and there is no prospect of increase.</p>	3,814
BATH AND WELLS.		
4,946	<p>The net income is expected to be reduced to about 5,500<i>l</i>. per annum by the probable diminution of fines upon renewals.</p>	5,500
BRISTOL.		
2,351	<p>The average upon the three years ending Dec. 31, 1831, much exceeds the usual average.</p> <p>The living of Aldmonsbury, permanently annexed to the see, is not expected to vary in amount.</p>	2,350
CARLISLE.		
2,213	<p>From an unusual receipt of fines on renewal of leases for lives, the gross annual income of the see on the last bishop's incumbency was about 4,500<i>l</i>.; upon some late surveys, the estimated annual value of the property has been less than on former valuations. Upon the whole, the gross yearly value of the see, which in 1832 was returned at 2,585<i>l</i>., may be estimated, upon an average of seven years, at 3,000<i>l</i>.</p> <p>It should also be stated that 1-20th part of a sum of 10,000<i>l</i>., borrowed on mortgage for repairing and partly rebuilding Rose Castle, is payable yearly, with interest upon the remaining principal. The payments will cease in the year 1835.</p>	3,000 after 1853

Net Income on 3 years' average, end- ing Dec. 31, 1831.	Probable Causes of Increase or Diminution.	Estimated future net income.
CHESTER.		
3,261	Decrease expected, as the property of the see chiefly consists of tithes, which are falling in value.	3,260
CHICHESTER.		
4,229	The average amount of fines on renewals for the three years ending Dec. 31, 1831, was greater than the general average receipts under that head. It is considered that the computed average income will be reduced by 400 <i>l.</i> or 500 <i>l.</i> per annum.	3,800
ST. DAVID'S.		
1,897	The average yearly receipts from fines on renewals of leases for three years ending Dec. 31, 1831, were 214 <i>l.</i> , whereas the average of the last ten years is 1,150 <i>l.</i> per annum; but this last-mentioned average cannot be depended upon in future.	2,800
ELY.		
11,105	The estimate of the last three years is rather more than the average amount of the net annual produce of the see; as the two last years, particularly 1830 afforded fines for renewals of leases which seldom occur.	11,000
EXETER.		
2,713	There will in future be 21 <i>l.</i> per annum from the dividends on stock produced by the sale of houses under a local act. In other respects no increase or decrease is anticipated.	2,734
GLOCESTER.		
2,282	A decrease in the revenues of this see will take place in consequence of the augmentation of small livings in the patronage of the see, made by the present bishop. The amount of fines for renewals, included in this estimate, exceeds the average of the seven years preceding.	2,200
HEREFORD.		
2,516	No expected increase or decrease.	2,516

Net Income on 3 years' average, end- ing Dec. 31, 1831.	Probable Causes of Increase of Diminution.	Estimated future net income.
LITCHFIELD AND COVENTRY.		
3,923	<p>If the average of fines, as far as it can be ascertained from accessible documents, were to be taken upon a period of 21 years, it would exhibit a net income considerably larger than that which has been stated, but a material reduction of the future amount of fines is to be expected from the progressive diminution of the value of land. A decrease of the profits from woods is expected. The income will also be decreased by the augmentation of poor livings in the gift of the see intended to be made. Upon the whole it is considered, that at a distant period, the net income may average 4,350<i>l.</i> per annum.</p>	4,350
LINCOLN.		
4,542	<p>The estimate taken upon the three years ending Dec. 31, 1831, exceeds the average of the three subsequent years by the sum of 680<i>l.</i> The property consists almost entirely of impropriate rectories, with dependent vicarages, the intended augmentations of which, in virtue of the late acts, will cause a further considerable diminution of the net annual proceeds.</p>	4,200
LLANDAFF.		
924	<p>It is considered that upon a sufficiently extended average the income from fines, which is stated at 73<i>l.</i>, might be taken at 400<i>l.</i> per annum; a corresponding increase of income is therefore expected.</p>	1,250
NORWICH.		
5,395	<p>The average amount of income, taken upon the three years ending Dec. 31, 1831, exceeds the average annual value of the revenues of the see, if computed upon the receipts for the last seven years, by the sum of 700<i>l.</i> per annum; and there would be a reduction of income by the augmentation of small livings in the gift of the see.</p>	4,700
OXFORD.		
2,468	<p>A decrease in the revenues of the see must be expected. The average of fines on renewal of leases for the three years ending Dec. 31, 1831, is found on calcu-</p>	1,658 subject to the

Net income on 3 years' average, ending Dec. 31, 1831.	Probable Causes of Increase or Diminution.	Estimated future net income.
	<p>lation to exceed the average receipts from the same source which may reasonably be expected in future by about the sum of 1,060<i>l.</i>, and a deduction of 90<i>l.</i> must be allowed for the depreciated value of tithes in hand. If the crown shall be pleased to renew a lease granted on account of the small revenues of the see, which will expire in the year 1837, it is expected that, <i>communibus annis</i>, the net value of the see will amount to 1,658<i>l.</i>, or about that.</p> <p>PETERBOROUGH.</p>	contin- gency stated in the pre- ceding column.
3,103	<p>The total receipts may be expected to be less in future than the average of the three years ending in 1831, as the fines upon renewals of leases, as well as the tithes of Castor, a rectory permanently annexed to the see, are continually decreasing in the amount.</p> <p>ROCHESTER.</p>	3,000
1,459	<p>No expected increase or decrease.</p> <p>SALISBURY.</p>	1,459
3,939	<p>If the calculation were taken upon an average embracing a period of years in which it is probable that most of the leases for lives as well as for years would be renewed, the result would exhibit a net income, <i>communibus annis</i>, of not less than 5,000<i>l.</i>, or between that sum and 6,000<i>l.</i> per annum.</p> <p>WORCESTER.</p>	5,000
6,569	<p>There is reason to expect a decrease of income, from the diminution of the amount of fines upon renewal of leases.</p>	6,500

According to the foregoing table, the net income of all the bishoprics of England and Wales in the year 1831 amounted, on an average of three years, to the sum of 157,737*l.* and may now be calculated at about 148,875*l.*; but it appears that this amount is very unequally distributed, the incomes of one half of the bishoprics falling below the sum necessary to cover the expenses to which a bishop is unavoidably subject. A different distribution of the episcopal revenues is the natural remedy of this inconvenience. Incomes must

also be provided for the two new sees which are to be erected.

If the total amount of the net income of the bishoprics, as stated in the second column of the preceding table, had been liable to no further diminution, we apprehend that these objects might have been nearly accomplished by such a distribution, without any addition to these incomes by means of commendams, either with or without cure of souls; the former of which additions, we think, ought to be altogether discontinued.

This might be done, by enabling the future incumbents of the richer sees, either to transfer part of the estates to the poorer bishoprics, or to pay over annually a portion of their incomes to the governors of Queen Anne's Bounty, to be applied to the augmentation of such bishoprics; or either of these modes might be adopted, according to the particular circumstances of each case.

The total amount, as above stated, cannot be, however, considered as the future income, for the reasons alleged in the third column, which shews a diminution of nearly 9,000*l.* per annum; and a further diminution is also to be expected from the application, either in whole or in part, of impropriations, which form a considerable portion of the incomes of many bishoprics, and which, in most instances, they were compelled to accept, in exchange for manors and estates, for the improvement of populous and poorly endowed vicarages and curacies connected with them.

The total income of the bishoprics in England and Wales will thus no longer be sufficient to afford an adequate income to each bishop, merely by a different ar-

rangement; and the most obvious mode of supplying the deficiency will be permanently to annex to some of the poorer bishoprics, certain cathedral preferment, particularly in the chapters of St. Paul's and Westminster, on account of their position in the metropolis.

In considering the incomes of the Archbishops and Bishops, it is proper to advert not only to the expenses necessarily incurred in journies for the purposes of confirmation, consecration, and other official duties; in maintaining ancient and extensive houses of residence; in keeping hospitality; and in contributing to all objects connected with religion and charity, in a manner suitable to their station; but to a burden which presses heavily on newly-promoted bishops, who are seldom men of wealth. The unavoidable expenses attending their appointment are so considerable, that they may be calculated at the income of one whole year in most of the sees, and at much more than a year's income in the smaller ones.

Upon the whole, we are of opinion, that where the annual income of a bishop amounts to 4,500*l.*, it is not necessary to make any addition; nor would we recommend any diminution, unless it exceed 5,500*l.* But we think that the two archbishoprics, and the bishoprics of London, Durham, and Winchester, ought to have a larger provision than the rest.

These arrangements, if carried into effect, will tend to promote the desirable object of diminishing the frequency of translation.

PATRONAGE.

If your Majesty shall be pleased to concur in the suggestion for

erecting two new sees, it will, in our opinion, be expedient for the interests of the church, that the bishops of those sees shall possess a certain portion of patronage, in order that they may be enabled to reward deserving clergymen within their dioceses. For this purpose it will be necessary to transfer some advowsons to the bishops of the new sees.

We do not propose that, when a district is transferred from one diocese to another, the whole of the patronage with such district should likewise pass; but in many instances partial transfer would be desirable. We therefore humbly submit to your Majesty the expediency of providing for all these sees, in a legislative measure which may be founded upon this Report.

We respectfully beg it to be understood, that in all the proposals which we have submitted to your Majesty, we assume that regard will be had to vested interests; and that none of the proposed changes shall take place with respect to bishops, or incumbents, now in possession, without their consent.

The subject alluded to at the commencement of our report, as one to which we have given our attention out of its course, is that of a vacancy in one of the prebendal stalls in the collegiate church of Westminster; respecting which, we, at our first meeting, received the following letter from the chancellor of his Majesty's exchequer—

“Whitehall, Feb. 4.

“My Lords and Gentlemen,—I feel it to be my duty to inform you, that a vacancy having taken place in the prebendal stall at Westminster, I have advised his Majesty to suspend any appointment to that

stall, until the circumstances connected with it can undergo the inquiry and consideration of the commission of which you are members; and I have it in command from his Majesty, to inform you that he shall be prepared, so far as the royal prerogative is concerned, to make any arrangement with respect to this preferment, which shall appear to the commission best calculated to effect the important object for which the commission was appointed, and in the successful prosecution of which his Majesty takes the deepest interest.

“I have the honour, &c.”

“ROBERT PEEL.”

Impressed with this strong mark of the desire which your Majesty entertains to forward the objects of this commission, we proceeded without delay to consider of the best method of giving effect to your Majesty's gracious intentions.

We ascertained upon inquiry, that the parish of St. Margaret, Westminster, which adjoins the collegiate church, has no individual rector or vicar, but that the dean and chapter, who are the rectors, are bound to provide for the cure of souls, which they generally do by committing it to one of their own body.

We further found that the parish contained, according to the last census, a population of 25,334; and that, besides the parochial church (of which a portion is devoted to the use of the House of Commons), it has no regular place of worship according to the rites of the church of England. But there is a chapel, called Broadway Chapel, capable of accommodating about 1,000 persons, which belongs to the dean and chapter, and is by them leased, at a nominal rent, to

a clergyman, who performs the duty and receives the pew rents, but has no parochial charge.

It appeared to us, therefore, that the vacant stall could not be better applied than by making it subservient to the spiritual wants of this very populous and increasing parish.

With this view we propose that the church of St. Margaret shall be permanently annexed to the vacant stall in the collegiate church; and that a portion of the annual profits of the stall shall be suffered to accumulate, until a new church shall be built; when the parish shall be divided, and the incumbent of the new parish shall receive that annual portion; the accumulation being applied towards providing a parsonage-house for such incumbent.

We deemed it right to communicate to the dean and chapter our proposals on this head; and we have great satisfaction in stating to your Majesty their prompt acquiescence, and their readiness to give up to your Majesty the patronage of St. Margaret's church. They at the same time voluntarily offered to surrender, as far as the law would allow them, the property in Broadway Chapel; with the view of its becoming a chapel of ease to the rectory of St. Margaret, with a certain district assigned to it. Should this arrangement take effect it may be considered proper that a small portion of the income of the stall should be appropriated to the minister of Broadway Chapel.

We are proceeding with all diligence in our inquiry respecting the other important subjects to which your Majesty has been pleased to direct our attention; and shall forthwith take into our considera-

tion the present state of the cathedral and collegiate churches in England and Wales, with the view of submitting to your Majesty some measures by which those foundations may be made more conducive than they now are to the efficiency of the established church.

We cannot conclude this report without gratefully acknowledging the additional proof of your Majesty's anxiety to promote the important objects of this commission, which has been afforded in the communication of your Majesty's intention to defer any nomination to the prebendal stall in the cathedral of Canterbury, which has recently become vacant, until the circumstances connected with it shall have undergone our consideration.

We have the satisfaction of informing your Majesty, that the Lord Chancellor, and the Archbishops and Bishops, who are members of this commission, have signified to us their intention of pursuing, with regard to ecclesiastical preferment, in their respective patronage not connected with the cure of souls, the same course which your Majesty has been graciously pleased to adopt with regard to the patronage of the Crown.

The appointment to a prebendal stall, which has recently become vacant at York, has accordingly been reserved by the Archbishop of York until the commissioners shall have had an opportunity of reporting their opinion as to the best arrangement that can be made with respect to it.

Your Majesty's gracious communication, acquainting us that in the event of the avoidance of bishoprics or other preferments in the gift of the Crown, the holders of which may have in their patronage

dignities or offices not connected with the cure of souls, your Majesty will make such conditional appointments as shall reserve all such dignities or offices for the consideration of the Commissioners, will enable us to proceed in our inquiries with that caution and circumspection which it is so desirable to observe; and will, at the same time, preclude the possibility of any inconvenience from the delay which is inseparable from full and minute inquiries into matters so important and so various in respect to their local peculiarities.

Note.—The tables in the appendix have been framed from the returns made to the Ecclesiastical Revenues Commission, which are now in course of printing.

These and other returns vary as to the precise number of benefices in each diocess; but as the main object at present is to show a comparison between the existing and the proposed condition of the several diocesses, the most important point is to have one uniform source of information; and minute accuracy, either as to the number of benefices or the amount of population in each case, is not considered essential. Such accuracy would indeed, be rendered extremely difficult by the necessary interchanges which are proposed, of parts of counties, and of districts and parts of districts, in some cases according to the ecclesiastical, and in others according to the civil division of the country. It is hoped that the nearest possible approximation has been arrived at which is consistent with these circumstances, and with the present state of the returns: and the tables will be found to agree in their general results.

APPENDIX, No. 1.

Present Condition of the several Diocesses in England and Wales, with reference to the Number of Benefices and to Population.

PROVINCE OF CANTERBURY.

Diocess.	Number of Benefices.	Population.
Canterbury	343	402,885
St. Asaph	131	197,392
Bangor	124	153,344
Bath and Wells	441	403,908
Bristol	254	263,328
Chichester	267	236,950
St. David's	407	372,685
Ely	149	126,316
Exeter	611	773,251
Glocester	281	275,806
Hereford	256	207,451
Lichfield and Coventry	606	983,783
Lincoln	1,234	855,039
Llandaff	192	183,990
London	635	1,688,899
Norwich	1,021	692,163
Oxford	209	139,581
Peterborough	290	186,193
Rochester	94	196,716
Salisbury	386	320,547
Winchester	416	780,214
Worcester	212	357,548

PROVINCE OF YORK.

York	891	1,463,503
Carlisle	127	127,701
Chester	554	1,902,354
Durham,	146	452,637

APPENDIX, No. 2.

Condition of the several Diocesses in England and Wales, with reference to the Number of Benefices and to Population, according to the Proposed Alterations.

PROVINCE OF CANTERBURY.

Diocess.	Number of Benefices.	Population.
Canterbury	381	423,069
St. Asaph and Bangor	253	339,450
Bath and Wells .. .	441	493,908 unaltered.
Chichester .. .	267	236,950 unaltered.
St. David's .. .	391	365,646
Ely.. ..	554	393,347
Exeter .. .	611	773,251 unaltered.
Glocester .. .	363	324,198
Hereford .. .	264	218,392
Lichfield .. .	459	612,555
Lincoln .. .	780	506,745
Llandaff and Bristol .. .	233	303,875
London .. .	244	1,746,504
Norwich .. .	809	568,285
Oxford .. .	523	388,043
Peterborough .. .	498	394,567
Rochester .. .	536	471,813
Salisbury .. .	398	315,405
Winchester .. .	391	495,846
Worcester .. .	355	573,020

PROVINCE OF YORK.

York .. .	595	583,132
Carlisle .. .	285	435,432
Chester.. .	246	462,506
Durham.. .	152	459,964
Manchester .. .	205	1,208,533
Ripon .. .	153	739,748

Nos. 3 and 4 are maps of England and Wales, showing the respective boundaries of the present and of the proposed diocesses.

FIRST REPORT *of the* COMMISSIONERS *of* PUBLIC INSTRUCTION. (IRELAND.)

The report commences by stating, that the Commissioners, having prepared lists of queries, sent copies to ministers of all persuasions officiating in Ireland, as well as to the several enumerators employed by them.

To these queries (say the commissioners) we have been furnished, by the clergy of the established church with answers relating to 1390 parishes; by the Roman Catholic clergy, with answers re-

lating to 868 parishes; by Presbyterian ministers, with answers relating to 210 parishes; and by the enumerators with answers relating to all the parishes in Ireland.

For the purpose of obtaining a census, by parishes, of the present numbers of the inhabitants of Ireland, distinguishing their respective religious tenets, the following was the method, which, after much and attentive consideration, we adopted:—

After duly considering the great expense, the prospect of delay, and other inconveniences, incidental to an entirely new enumeration (involving a classification into religious denominations) of the population of Ireland, we determined upon making the population returns for 1831, the basis of our operations, with regard to this branch of our inquiry, by referring them back to the original enumerators, in order that they might distinguish the religious persuasion of the several persons therein mentioned.

The last general census of the population of Ireland was taken, in the year 1831, by 1308 enumerators, appointed, for that purpose, and by the magistrates of the several counties under the provisions of the population acts then in force.

That census was taken by districts, comprising one or more parishes, or parts of parishes, according to the civil division prevailing in counties, for the purpose of grand jury assessments, and each enumerator, employed upon it, was bound to visit personally, and to verify on his oath, the fact of his having so visited every house within the parishes, or parts of parishes, which he had been appointed to enumerate.

The report then states the mode taken, by the enumerators of 1831, to ascertain the number of persons in each parish, &c. and the plan which the commissioners adopted, which was similar to that of 1831.

As, from time to time, on the completion of the enumerator's books, and the expiration of the fourteen days from the day of their deposit for public inspection, each benefice became ready to be visited, one or more of the commissioners,

furnished with all the returns which had been received with regard to such benefice, repaired to the spot, and held an inquiry in respect thereof into the several matters directed by the commission. In all cases the commissioners, besides directing previous public notice to be given of the time and place of holding the inquiry, sent a special notice thereof to the several clergy of the parish, to the enumerator, to the schoolmasters, and others, whose personal attendance was requisite. The commissioners held their local investigation publicly; causing the population return, as classified by the enumerator, to be verified by his oath, and receiving any evidence that might be tendered on the spot with respect to its accuracy; receiving and examining into the correctness of any original census of the actual inhabitants of the parish (distinguishing their religious creeds) which might be offered to them, and ascertaining on the evidence of the parties attending before them, the several other matters of fact (exclusive of the census) comprised within the terms of the commission. Although, from our inquiries being in every case held on the spot, the commissioner was usually unable to give the parties concerned more than a few days' notice of his visit, yet we are happy to state, that our inquiries were almost invariably attended by the clergy of the established church, and very generally, especially in country parishes, by the clergy of other denominations; and that we found, almost universally, a disposition prevailing in all quarters to aid our investigations, and to furnish us with the information which it was our duty to obtain.

The result of the local investi-

gation in each separate benefice is recorded in this special report thereupon of the visiting commissioners ; the report distinguishing the matters directed by the commission to be inquired into, according to the division of benefices and of parishes respectively.

The report then adverts to the boundaries of civil and ecclesiastical parishes not being in accordance, and points out the means taken to avoid errors on that head. It then says—

With regard, however, to the census, a subject of inquiry upon which, from its own nature, rigid accuracy is not easily insured, even where nothing beyond a simple enumeration is involved, we will now submit a few details explanatory of the process through which the results in the present instance have been obtained.

As a general rule (subject, however, to the exceptions hereinafter mentioned), the enumerator's return for 1831 has been acted upon as conclusive evidence of the total number, in that year, of the inhabitants of each parish ; but with respect to the enumerator's classification of those inhabitants into the several religious denominations, the commissioner holding the inquiry received and invited all such evidence from the parties attending before him as might enable him to correct any errors committed by the enumerator. Having accordingly corrected any errors that might be pointed out, the commissioners received the return thus classified, as a census of the population of the parish in the year 1831, founded, so far as numbers were concerned, upon actual enumeration ; and if no satisfactory original census of the present population of the parish, similarly classi-

fied, was tendered to him, he proceeded to supply its place through the following process of computation :—

Before the visiting Commissioners had proceeded to make their local inquiries, we obtained, by a comparison of the detailed returns of the population of Ireland contained in the abstracts of the censuses of 1821 and 1831, printed by order of the House of Commons, the ratio of increase or diminution of the population that was found upon such comparison to have actually prevailed between those years ; first, in the rural districts of each particular county ; and next, in all towns therein having a population of not less than 2,000 inhabitants ; and proceeding upon the assumption that the ratio so ascertained had continued undisturbed up to the year 1834, we caused tables to be framed showing the proportionate increase or diminution of the population of such rural districts and towns respectively, which, according to that assumption, might be estimated to have taken place between the years 1831 and 1834. By a reference to these tables, the commissioners was enabled at once to determine the extent to which he was to add to, or deduct from, the numbers of the population of any particular parish as given in the census of 1831. And, upon the further assumption that the variations, as to increase or diminution, had been equal among the several religious denominations, the same rate of computation applied to each of those denominations gave their present numbers, bearing the same relative proportions with respect to religious tenets as in the classified census of 1831. But as the rate used in each computation was liable

to have been disturbed within the three preceding years by local and temporary causes, such as unusual mortality, or unusual emigration from or emigration into the parish, the Commissioners before adopting the computed numbers as a final result, ascertained by evidence whether or not such causes had existed, and, where their existence was established, made necessary allowances for them, according to the extent to which they appeared to have operated.

In some instances it was discovered that, in the enumeration of 1831, a particular townland in a parish had been accidentally omitted. In these cases an original census of such townland, embracing the distinctions of religion, was taken, under the direction of the Commissioners, and the numbers, as found by such census, added to the computed population of the present

In other instances it was found that a particular townland had been twice enumerated in 1831, and assigned to two distinct parishes. In such cases the visiting Commissioner ascertained by evidence the parish to which it properly belonged, and deducted the number of its inhabitants from the population of the parish to which it had been erroneously assigned.

The census of 1831 having been taken on the principle of inserting as inmates of each house visitors residing therein for two or more days, and in the case of inns or hotels, travellers residing therein for one or more nights, it became necessary to ascertain whether that census of the parish under investigation might not have included some considerable number of merely temporary residents, such as harvest labourers or casual visitors; and, when such was found to have been

the fact, and the probable number of such temporary residents established by evidence, they were deducted from the number of the population as existing at the present time that would otherwise have resulted from the computation made. In such cases also, whenever the parish in which any of the individuals so deducted were permanently domiciled was discoverable, care was taken that they should be added to the population of their proper parish. With these and similar precautions the visiting commissioners, in the absence of an original census, arrived at a computation of the present numbers of the inhabitants of each particular parish, distinguishing their respective religious creeds.

In numerous instances, however, the officiating clergy of the parish, and more especially of the established church, in accordance with the suggestion contained in the circular letter from which an extract has been above given, tendered at the place of holding the local inquiry an original census taken by them or under their direction, comprising either the whole or a portion of the present population of the parish, distinguishing the religious persuasions to which the individuals therein set down respectively belonged.

Every such census was open to the inspection of all persons present at the inquiry, and its accuracy was scrutinised by the visiting commissioner, who received all proper evidence in support or impeachment of its correctness; and whenever the accuracy of such original census was established to the satisfaction of the commissioner, it was adopted in preference to the computation based upon the census of 1831.

It is observable, that the census of the members of the Established Church includes a considerable number of Wesleyan Methodists, who, although attending religious service in other places of worship, consider themselves to be in connexion with the Established Church, and wished to be classed as members of that body. We do not report the particular number of these persons, but that it is considerable, especially in some districts, will appear from an inspection of the number of their places of worship enumerated in our reports, and the average number of persons attending divine service in each.

We were not required, by the terms of the commission, to distinguish the denominations and numerical proportions of those other Protestants, who really dissent from the Established Church, and who desired to be classed as Protestant Dissenters, and it is only by a reference to the names of the places of worship, and the statement of their average congregations, that the names of these religious denominations and their respective numerical importance can be collected from our reports.

In the special report of the visiting commissioner, upon each parish, or union of parishes, will be found a table, showing the numbers of the inhabitants, according to the census of 1831, classified into their several denominations, and a second table, showing the numbers, in 1834, (similarly classified), as resulting from the local inquiry, and specifying, in a note, annexed thereto, whether the latter result had been obtained by a computation from the census of 1831, or from an original census furnished to the reporting commissioner.

We have here to observe, that,
VOL. LXXVII.

with respect to any given parish, even where its ecclesiastical and civil name is the same, the numbers of its population, in the year 1831, as stated in the first of these tables, will be found not to accord with the numbers for the same nominal parish appearing in the population returns for 1831, excepting in those cases where the territorial extent of the ecclesiastical and civil parish happen to be identical.

With respect to the enumeration of the population of Ireland made in 1831, which has served as the basis of our inquiry, we have had every reason to be satisfied of its general correctness; and, on the whole, we present to your Majesty our census of Ireland for the past year, with a full confidence that it affords a very close approximation to the truth in a matter where perfect accuracy is nearly unattainable. If, however, there is any part of our census which exhibits the true state of the population more precisely than another, it is that which relates to the members of the Established church; as not only the comparative smallness of their numbers in some parts of the country, and their social position, render them more easy of enumeration, but in a large number of parishes we have been enabled to return the Protestants of the Established church on the authority of censuses made for the occasion by their own clergymen, and carefully investigated at the local inquiry held by the visiting Commissioners.

We have, however, in very few instances been enabled to state the number of Presbyterians from an original census of their own minister. This did not arise from

any unwillingness on the part of the Presbyterian clergymen to assist our inquiries, but from the circumstance of their cure of souls being independent of territorial divisions. As the Presbyterians resident in any given parish frequently belonged to congregations of different ministers, it was impossible for us to state their numbers by original census, unless all those ministers attended at the inquiry, and tendered a census of such members of their respective congregations as dwelt in the parish. Hence it happened that we were prevented from making use of the census of a Presbyterian minister containing his own congregation, in most of the cases in which it was offered to us.

The statement which we have above made with respect to the accuracy of the census contained in our report, applies especially to the rural districts, and all the less considerable towns. But in the large towns we have been forced to be contented with a less scrupulous accuracy, on account of the extreme difficulty of ascertaining, except at an enormous expense, the true number of the inhabitants, and the religious persuasion of each person, in places where there is a large and fluctuating poor population, who are lodged in houses where each room is often a separate tenement, and who are frequently unknown to their neighbours, or even to their fellow-lodgers. With regard to Belfast, Waterford, Limerick, and Cork, we have obtained returns of which the errors probably lie within a small compass; with regard to Dublin, however, where the difficulties which we have just intimated were far greater than in the other large towns, the results

which we have obtained are not such that any reliance can be placed on their minute accuracy. In some Dublin parishes (as those of St. Paul and St. Anne) the enumerator performed his task in such a manner that the error in the result may be considerable; in others the population was ascertained with as much correctness as was possible, by means of a census made three years before, in a city where there is a constantly fluctuating population; and in a few the numbers were ascertained with a close approximation to the truth, by an original census made for the occasion under the inspection of the respective clergymen. In many of the Dublin parishes, likewise, the Commissioner was assisted by a comparison of a census of the Protestants made by the clergymen of the Established church in the year 1832. By these means we have succeeded in giving such an account of the population of the Dublin parishes as is not, in our opinion, very wide of the truth; and which, in some parishes, approaches it as closely as the circumstances of the case admit; but we should not feel justified in claiming for it the same amount of credit to which we consider our numerical statements for the rest of Ireland as properly entitled.

It appears that the population of Ireland, as deducible from the census which we now offer, consists of 852,064 of the Established church, 6,427,712 Roman Catholics, 642,356 Presbyterians, and 21,808 other Protestant Dissenters; making, in the whole, 7,943,940 persons. But it is observable, that in proceeding upon the census of 1831, the religion of 18,951 persons included herein

could not be now ascertained, on account of changes of residence which had taken place since that year, and the difficulty of discovering their actual domicile. Of the persons so omitted a considerable portion were doubtless supplied by means of original censuses; leaving, however, a residue which ought not to be altogether overlooked in estimating the total population of Ireland for 1834.

From the same census it also appears that the proportion, per centum, borne by the several religious denominations in Ireland to the total population, is as follows:—The members of the established church, 10 726-1000; the Roman catholics, 80 913-1000; the presbyterians, 8 86-1000; and the other protestant dissenters, 275-1000. And in reference to the proportions of the several religious persuasions, it is further observable that, whilst it does not appear to us that there is any unusual inequality in the distribution of the general population, it will be seen, upon a review of our reports, that the members of the established church are very unequally dispersed over the country. It will accordingly be found that there are some benefices (more particularly in the southern and western parts of Ireland) in which there are no members of the established church; that there are others in which there are but few; whilst, in others, more especially in the large towns, their number is considerable. The Roman Catholics are generally diffused over all parts of the country, but exhibit the largest numbers, as compared with the rest of the population, in the provinces of Dublin, Cashel, and Tuam. The Presbyterians reside chiefly in the province of Armagh, whilst the other pro-

testant dissenters do not prevail in any peculiar district, but are, for the most part, inhabitants of towns.

It is also observable that in some instances, from the great extent of the benefice, the members of the established church are widely scattered amongst the other inhabitants, whilst—owing to the lengthened form, or other local peculiarities of other benefices—they are at an inconvenient distance from the place of worship, or from the residence of the clergy assigned to them. The same inconvenience also occasionally arises from the fact that the parishes in union are not contiguous to each other, and that the intermediate distance is in some cases very considerable. Hence it happens that sometimes the parishioners resort to other places of worship which are more conveniently situated for them, and that frequently the labours of the minister in the strict performance of his parochial duties must be unduly increased.

Having thus submitted to your Majesty a statement of the principles on which we have conducted our inquiry, and adverted to a few of the general circumstances that may not be distinctly apparent in our special reports, we shall abstain from enlarging upon the various important results deducible from the detail of the circumstances into which we have inquired.

We feel, however, that the condensed results of some of the leading heads of our inquiry may conduce to the clear understanding of the whole. We have, therefore, formed the following summaries for each diocese and province, and, finally, for the whole of Ireland; which, amongst other particulars, exhibit at one view the state of the population in respect to the dif-

ferent religious persuasions, and the proportion of each to the whole; the number of parishes, and of places of worship; the state of the benefices in reference to unions; the contiguity of the united parishes; the places of worship; the residence of incumbents; the existence of glebe houses; the total population of each benefice, and the number of members of the established church belonging to each benefice. The last of these heads, by classifying the benefices according as the members of the

established church in each are above or below successive numbers in a scale ascending from 0 to above 5000, will bring clearly into view the degree, in which, as has been already noticed, their unequal distribution prevails throughout the several diocesses in Ireland.

[The Report then gives the summary of results for each province and diocess; but the summary for the whole of Ireland will afford the general results of the investigation.]

SUMMARY.

POPULATION, 1834.

Roman Catholics	6,427,712
Members of the Established Church	852,064
Presbyterians	642,356
Other Protestant Dissenters	21,808
Total	7,943,940

PROPORTION PER CENTUM TO THE TOTAL POPULATION.

Members of the Established Church	10.726
Roman Catholics	80.913
Presbyterians	8.86
Other Protestant Dissenters	.275

NUMBER OF PLACES OF WORSHIP.

Established Church—Churches	1,338
Other places of worship	196
Roman Catholic	2,105
Presbyterian	452
Other Protestant Dissenters	403
Total	4,494

PARISHES OR DISTRICTS.

With provision for the cure of souls	2,348
Without provision	57
Total	2,405

Number of members of the Established Church in 1834, in parishes or districts, without provision for the cure of souls	3,030
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NUMBER OF BENEFICES.

Consisting of single parishes	907
Being unions of two or more parishes	478
Total	<u>1,385</u>

NUMBER OF BENEFICES

Being unions in which the parishes are not contiguous	87
In which there is a glebe house	850
In which there is no glebe house	535

NUMBER OF BENEFICES

In which there is more than one church	118
Only one church	1,057
In which there is no church	210
In which the incumbent is resident	889
In which the incumbent is non-resident, but Divine Service is performed by him or a curate in a place of worship	339
In which the incumbent is non-resident, and no Divine Service is performed by him or a curate in a place of worship	157

NUMBER OF BENEFICES

In which the entire population is not more than 100.	5
More than 100, and not more than 200	7
More than 200, and not more than 500	36
More than 500, and not more than 1,000	94
More than 1,000 and not more than 3,000	368
More than 3,000 and not more than 5,000	277
More than 5,000 and not more than 10,000	405
More than 10,000 and not more than 15,000	125
More than 15,000 and not more than 20,000	39
More than 20,000 and not more than 30,000	21
More than 30,000	8

NUMBER OF BENEFICES

In which there is no member of the Established Church	41
In which there is one, and not more than 20	99
More than 20, and not more than 50	124
More than 50, and not more than 100	160
More than 100, and not more than 200	221
More than 200, and not more than 500	286
More than 500, and not more than 1,000	209
More than 1,000, and not more than 2,000	139
More than 2,000, and not more than 5,000	91
More than 5,000	12

It may be necessary to remark here, in explanation of the preceding summaries, that we have included cathedrals, parish churches, and chapels of ease, under the head of "Churches;" whilst, under that of "other places of worship of the established church," we have included those places in which divine service is performed by a minister of the established church; it being not an unusual custom to make use of a school-house or other suitable place which may be conveniently situated for that purpose, in those benefices where there is either no church, or where the church is situated at an inconvenient distance from a part of the parishioners. Private places of worship, and those situated in gaols or other establishments which are not open to the public, though generally noticed in the reports, have not been counted in the summary: but all other places of worship of the established church which are open to the public, have been included under one or other of the above-mentioned heads, according to their particular nature. In respect to the residence of incum-

bents, it is observable that we have taken this to mean residence strictly within the limits of the benefice; although the use of the term in that strict sense necessarily excludes, as non-residents, those incumbents who, from want of accommodation, or such other cause, reside in an adjoining benefice. It sometimes happens, too, that incumbents so residing are more conveniently situated for the discharge of their parochial duties, than others who are, strictly speaking, resident within the benefice. But it became necessary to fix some certain rule, and if not determined by the legal boundary of the benefice, each case would have involved a question of degree, as to whether the distance was such as would admit of the incumbent being considered as virtually resident or not.

We have in conclusion to remark, that we shall reserve any reference to the results of our inquiry respecting the schools and state of education now existing in Ireland, until we present the second part of our reports to your majesty.

(Signed) BROUGHAM, and others.

MANNERS, CUSTOMS, &c.

ASCENT OF THE SCHNEEKOPPE, HEMPELSBAUTE, ADERSBACH, LABYRINTH OF ROCKS.

[From Sketches of Germany and the Germans.]

It was on one of those beautiful crystal mornings which frequently succeed a slight thunderstorm, that, accompanied by a guide, I took my departure for the Schneekoppe, the loftiest peak of the great chain of the Riesengebirge. The country continued extremely picturesque so long as we remained in the vicinity of the manufacturing town of Schmiedeberg; but after about an hour's walk an extensive forest received us, in whose deep solitudes reigned eternal twilight. At one time we wandered over diminutive prairies, then plunged into gloomy dells, and at another scrambled up granite cliffs, from whose sharp points we caught many a delightful glimpse over the sunny vales and peaceful hamlets beneath; mountain rivulets frequently rushed along our path, roaring like so many miniature cascades, and numbers of timid game broke through the branches of the trees, and as instantly disappeared in the impenetrable thickets. The deeper shades of the beech and pine were beautifully contrasted with the lighter green of the heath and fern, among which the bright colours of a thousand flowers mingled like a painted carpet, and it was only after an

ascent of several hours, when we entered the Krumholz, that we found it laborious. These shrubs are a species of stunted pine, that creep along the ground, in which its branches fix themselves, and vegetate like new roots, on which account it is very difficult to force a passage. These in their turn disappeared when we came to the region of Alpine plants, till at last the only vegetation visible was the cold Iceland moss growing in the chasms of the sterile rock; and finally, after a journey of five hours, we stood on the summit, at a height of 5,000 feet above the level of the sea. The extreme cold drove us to take shelter in a small temple munificently erected by Graf Schafgotsch, for the accommodation of the wearied tourist and pious worshipper who may feel inclined to offer up his thanksgiving to the Madonna for his safe arrival. This little edifice has also the honour of being situated in the centre of the line of frontier which divides Silesia from Bohemia, and which runs along the whole of this colossal chain of mountains.

I was peculiarly fortunate in the weather; not a single cloud interposed its envious shade to intercept the extensive, rich, and varied pros-

pect, which extended the greatest distance towards the north, as it was, comparatively, an open country, embracing the most beautiful and fertile part of Silesia to the Oder; the whole expanse studded with numerous towns and villages, including Breslau. In the south, all was sublime and terrific, being composed of steep precipices, and yawning abysses, in whose deep gorges were several Bohemian villages; beyond these, in the distance, the imperial palace of the Hradschin, on the heights of Prague, was dimly visible. The Carpathian mountains were marked by a shadowy indistinct line on the eastern horizon. To the west appeared the mountains of Saxony, like a confused mass of gigantic stepping-stones, and near these lay a small part of the plains of Lusatia.

As the sun was now declining, the various tints and shades which momentarily flitted across the landscape were varied and beautiful. At one time, the minutest objects, from the towering cliff to the solitary hut in the plain, glowed with all the variegated colours of the rainbow, while the sky appeared like a sheet of molten gold. Then, in rapid succession, as the sun more sensibly sunk, gigantic streaks shot across the vast panorama, and, continuing their rapid flight, disappeared at an incredible distance, illuminating the horizon as if with a flash of electricity; and, last of all, while the grey twilight rested upon every object beneath, the parting rays of the dying luminary lingered for one little speck of time on the *plateau* of the mountain on which we were standing, giving a fiery tinge to every object immediately around us, and then, in a moment, all nature was enveloped in the mantle of darkness.

In my descent to Hempelsbaute, which occupied half an hour, I was as completely under the direction of my guide as if I had been blind; for an occasional glimpse of the lights in the *châlet* to which we were hastening was the only friendly taper that cheered us on our way.

The weather was excessively cold, with occasional gusts of frosty wind, and the pale luminary of night, with her myriads of bright attendants, which had for some time so benignantly guided our footsteps up the slippery rocks, became suddenly obscured by a dense mass of threatening clouds. Our guides now lighted their pine torches, whose lurid glare as it fell upon the surrounding precipices disclosed a scene worthy of the pencil of Salvator Rosa. As I before observed, thunderstorms, in these mountain regions, are frequently attended with considerable danger; we therefore hastened forward to seek shelter, which caused several of our party to lose their equilibrium, who uttered as they fell many a ludicrous expression of terror. However, we reached the summit without any more serious adventure. We had scarcely taken refuge in the temple of the Madonna, when the threatened tempest burst upon us with such violence that our little asylum appeared to rock to its foundation; while the gigantic hail dashing against it, sounded like a volley of stones, and the hoarse thunder like continued peals of artillery. It was a truly magnificent spectacle to behold the forked lightning like a fiery serpent, cutting its way through the dark masses of vapour, at one time illuminating the stupendous mountain in a blaze of light, at another, darting down-

wards, and displaying terrific rocks and unfathomable abysses; and then, as instantaneously, the whole was enveloped in the darkest gloom. Thus picture after picture followed each other in rapid succession, till the first grey streaks of dawn glowed in the east, when the atmosphere, in our immediate vicinity, became serenely clear. But it was now that a scene of the most sublime grandeur disclosed itself, for the tempest was seen raging in its wildest fury beneath. The ocean of clouds was dreadfully convulsed, the lightning glared through them fearfully, and the thunder growled like the noises heard in the bowels of Etna. In a few minutes it also abated there; and we saw through the various chasms of the broken clouds—like a camera obscura, the glowing beams of the rising sun gilding the dew-bespangled fields and smiling villages; and as the king of day gradually ascended the high arch of heaven, the vigour of his rays chased the whole airy mass, till it became condensed in the west.

Our party also dispersed, highly gratified with the excursion, and each continued his separate route. Mine led me down the Bohemian side of the mountain, to visit the beautiful cascade of the river Aupe, which when seen from the Koppe, resembles a silver thread suspended to the side of a wall of rocks. In my descent I crossed a succession of delightful vallies. The most interesting were the Aupe, the Arnau, the Hohenelbe, and the Trautenau, all enlivened with sparkling rivulets that imparted vivacity to the landscape. These fertile valleys, protected from the chilling influence of the northern blasts by the lofty chain

of the Riesengebirge, were blooming with the luxurious vegetation of more southern climes, forming a pleasing contrast to the sterile region I had just left.

From Trautenau I proceeded to Adersbach, the famous labyrinth of rocks, I believe unique of its kind—at least for magnitude and extent, being upwards of four leagues in length and two in breadth. That in Westphalia, called Ecksterstein, so celebrated by travellers, is a mere baby's toy compared with this. In short, the only freak of nature that I ever saw at all comparable to it, is that in Upper Styria called the *Johannisbacherthal*. These rocks are entirely composed of sandstone, and form part of the same ridge which runs through the province of Glatz on one side, and Saxon Switzerland, towards Dresden, on the other. On a near approach the traveller might really fancy he was beholding a city of gigantic architecture in ruins, for we can literally walk through its interior as we would in the squares and streets of a town; and it hardly requires a stretch of the imagination to say that we see dismantled towers, triumphal arches, dilapidated fortifications, &c. Tradition has baptized many of these masses of rock with the most fanciful appellations; here we have the statues of burgomasters and soldiers, there, friars and nuns; and, in another place, the emperor's throne; and, singular enough, the road that leads to it is across the Devil's bridge. One of the loftiest of these rocks, termed the Watch-tower, is, I think, between 400 and 500 feet high, but its circumference is not greater than that of the object from which it borrows its appel-

lation. Another, of nearly equal altitude, which goes under the name of the Zuckerhut (Sugar loaf), is in form an inverted cone, and being isolated at some distance from all the rest, has a most singular appearance.

Besides the numerous streets, as they are called, that intersect this city of the gnomes, there are several narrow alleys which, however, let not the traveller attempt to thread, or he may find himself involved in an interminable labyrinth, as I was informed that dogs had been driven into them for the purpose of exploring an outlet, but they seldom returned. The entrance to this wonder of nature is secured by a door, which a very small piece of money will unlock. The cicerone Johann, also game-keeper to the proprietor, is a most amusing person, whom I cannot help recommending for his unremitting attention, and for the gratitude he evinced for the trifling

donation he so richly deserved. On arriving at a lonely situation, he unexpectedly disappeared from me for a few seconds, and I was not a little surprised at hearing in these solitudes a report of, what seemed to me, a small park of artillery, but which turned out to be merely a common musket, whose echo was repeated seventeen times in succession. But it is when a concussion of the elements takes place, that these reverberations are heard to the greatest advantage. Then the shocks are so awful, that it would appear to a stranger as if the inmost recesses of nature were being torn asunder. On my way out of the labyrinth, I was joined by a band of students playing a chorus from *Der Freischütz* on wind instruments. The sublime effect of the music in this city of rocks, must be heard to be conceived; it seemed to be that of the spheres, for the whole air was filled with melody.

THE RIESENGBIRGE AND ITS INHABITANTS.

The Riesengebirge, from their altitude, hold the first rank among the mountains of Germany, if we except the Tyrolian and Carnic. The name is derived from Riso (springs), descriptive of the numerous rivers that here have their source, and not, as many writers tell us, from Riese (giants). This is more decidedly proved by the Bohemians calling them, in their language, Krkonossy Hory (spring mountains). They are principally composed of a species of coarse granite; quartz is also pretty general, but the colour inclines more to blue and violet than the more valuable red; mountain crys-

tal, bastard topazes, and morions abound everywhere; but rubies, sapphires, amethysts, and the fine topaz, are very rare; even diamonds were formerly found; and, at one time, the mines of copper and iron were very valuable. The Alpine plants are numerous, and much sought after for medical purposes. The most valuable are the celebrated rose and violet coloured mosses.

Several important rivers have their source in these mountains—such as the Elbe, Ausse, and Iser. These take a southerly direction through the plains of Bohemia; the two latter soon fall a prey to

the rapacity of the Elbe, which becomes, in its turn, the victim of the German ocean. The Bober, Queiss, Zacken, and Lomnitz pursue a contrary direction, and fertilise the plains of Lusatia, till they mingle their waters with the Oder, which is, in like manner, engulfed by the Baltic. As all these rivers and a multitude of small rivulets, in their progress through the mountains, roll over masses of broken granite, they form many pretty cascades; but during the prevalence of great rains, they frequently swell into destructive torrents, and too often prove a devastating enemy to the labours of the husbandman.

The inhabitants have few features distinct from those of other mountain districts in Germany, if we except a still greater simplicity of manners, and a less prevalence of that disgusting inheritance of mountaineers — the goitre. In summer they adopt a sort of nomadic life, and range the mountains with their flocks and herds in search of pasturage. At the commencement of winter, they assembled in populous villages, and exchange the patriarchal occupation of shepherds, for that of fabricators of linen. Their food is of the simplest kind, consisting principally of oaten cake, butter, cheese, milk, and potatoes; meat rarely graces their frugal board, except on great festal occasions, when a young kid is sacrificed to the god of merrymaking. Their general appearance indicates robust health, and gay good humour usually accompanies them to the evening of life; for I have frequently seen very old men and, women engaged in juvenile sports with rosy-cheeked children, exhi-

biting an almost infantile playfulness. The apothecary and his drugs are nearly unknown, for they possess a specific in their numerous Alpine plants for almost every disease; and hence they generally live to a good old age. We have an instance of this at Hermsdorf, near the castle of Kynast, where we are shown the portraits of a peasant and his wife, whose united ages amounted to 340. This modern Methuselah lived to 172, and his wife to 168.

They are, I believe, without exception Roman Catholics, and considered very superstitious, as we find every house adorned with a crucifix and a Madonna; and I never saw them sit down to any repast without offering up a short prayer, and, at the same time, elevating the Madonna or the patron saint. In hospitality to strangers they vie with the Arabian; this virtue increases the higher we ascend; the wanderer is certain to find a hearty welcome in the poorest hut, and I never entered one that I was not offered the best refreshment they were able to procure;—the fragrant oaten cake, new-laid eggs, sweet and sour milk, delicious butter, and, not unfrequently, the sparkling trout decked the homely board, rendered still more captivating by the dazzling whiteness of the table-linen; and for this they would only receive the smallest possible gratuity, and, in many instances, refused it altogether. Their cottages are generally built of wood, laid on a foundation of stone, raised a few feet high. The under part is appropriated to their flocks, while the upper, to which the ascent is frequently by a ladder, is the sleeping, eating, and sitting

room for the whole family. Pine torches are the substitutes for candles; and a wooden bolt, which is used more as a defence against the storm than the bandit, is the only security necessary in this land of honesty. Their patriotism and attachment to their native hills is unbounded. They largely partake of the love felt by all mountaineers for their ancient customs, and possess a vast store of traditionary lore.

That side of the mountain towards Silesia abounds with diminutive lakes—or, to give them their right name, ponds, connected with each other by subterraneous passages, which the credulous of the natives believe to be fathomless. They are usually surrounded by a chain of rocks, and have a most gloomy appearance, which has probably given rise to the superstitious fancy that they are peopled by a thousand imaginary beings, and are often made the theatre of the wildest supernatural legends. This is, no doubt, encouraged by the occasional appearance of the *trockne nebel* (dry fogs) of a blue colour, in one of which, during my rambles in the mountains, I became suddenly enveloped as if

the king of the gnomes, Rubezahl, had cast around me his treacherous net. During its continuance the light of the sun was entirely obscured, and every object appeared clothed in a tint of mystic azure, when presently a gust of wind dispersed the illusion, and we perceived the fairy film retreating through the numerous fissures and caverns of the rocks.

The hero of the most popular legends is Rubezahl, known in our nursery tales as Numbernip. The Germans, who generally find a foundation for every supernatural tradition, say, among a hundred other versions, that a provençal of the name of Rédevale, since corrupted to Rubezahl, a famous magician, arrived here and collected vast quantities of the precious minerals among the mountains, but having made a compact with his Satanic majesty, who condescended to act as his guide, for a certain period, the treacherous demon took advantage of his agreement, and imprisoned the unlucky geologist in the interior of the mountain, where he has gone on increasing his hoard *ad infinitum* to the present day.

PASSAGE OF THE LEOBEL, KLAGENFURT, AND ITS ENVIRONS.

The road between Laybach and Klagenfurt, across the lofty Leobel, 4,000 feet above the sea, is superior to any other over which I have hitherto travelled, not excepting the far-famed Simplon, which, by the by, is only 600 feet higher; and though this may be inferior in scenes of savage beauty, yet it is infinitely better kept. The ascent commences immediately

on quitting the valley of Laybach, and is so gradual as to be almost imperceptible. The windings are inconceivably numerous, and we are frequently placed in such a position as to look back upon the spiral line we have been pursuing, lying like a border of ribband and upon the sides of the vast mountain. At one time we have a glance at the shores, at another

of the deep ravine and torrent in the abyss below, with nothing interposing between us and its horrors except a wooden fence. Still it is between Krainberg and Hirschenthur that we find the most admirable portion of this great work, here the road may be said to be cut through the solid rock, at every step we see evidence of the prodigious struggle between the art of man and the obduracy of nature; and notwithstanding the continued succession of tremendous precipices and lofty cliffs, the same equal slope is preserved; here the road was cut into the side of the mountain, there carried boldly through the heart of the rock, meeting darkness and then merging into sunshine; now crossing a bridge thrown over the precipitous gulf, and then passing beneath a dome of arched rocks; while the pines above and beneath, growing in the most grotesque positions gave a most romantic wildness to the landscape. In one place they were withered and desolate, in another torn and buffeted by the winds of heaven, many of them rent in twain by the lightning, or broken by falling avalanches or rocks; and then up some turn, we have them flourishing beneath a southern sun, while the cascades trembling from the heights, form a passage for themselves through the branches. Such is the grand and terrific scenery presented to us till we arrive at the summit, where a pyramid marks the boundary between Carniola and Carinthia.

This stupendous work has immortalized the memory of Charles VI., who effected more towards the improvement of these conductors of civilization than any other of the monarchs of Austria. It is well furnished with post stations

and inns where the traveller will find every accommodation. And though the timid were contemplating the dizzy depths, may possibly feel alarmed for their safety, yet the railing is a sufficient protection; however, accidents sometimes take place, as is indicated by the crosses and stations on the sides of the road. The pictorial representations on some of these are not a little ludicrous: at one I observed a carman in the act of falling with his horse and cart into the abyss, but, having had time, I presume, to say his Ave-Maria, the Madonna is seen descending, and seizing the horse and cart out of the abyss. The descent to the Klagenfurt was not inferior to that portion of the road already described. After passing Neumarkt, we discover we have passed all the wonders of the road, and that we are gradually leaving the Alps, each hill being lower than the last; and when we turn round and see the vast chain behind, it appears almost incredible that we could have passed it, so little sensible are we of the enormous height we have crossed. The wild character of the scenery presently changes to hills finely wooded, and we see castles, cottages, and the fine river Drave, till at length Klagenfurt, its romantic lake and fertile valley, appear in view.

Klagenfurt, the capital of Carinthia, possessing 10,000 inhabitants, is very prettily situated on the river Glau, and as we glance over its beautiful environs, glowing with luxuriance, we little suspect that it is 1,700 feet above the level of the sea. A dreadful conflagration which consumed the whole town, with the exception of a few houses, has had, at least, the good effect of causing it to be

rebuilt in a superior style, leaving it at present the handsomest mountain town in the empire; and if we may judge from the number of lightning conductors, and the splendid pillar erected to St. Florian, the well known protector against fire! the good citizens have nothing to fear from that disastrous element. Would not the money have been more wisely expended in purchasing fire-engines? particularly when we remember that the Saint remained most obstinately deaf to all their invocations on the last occasion.

The environs are exceedingly pleasant; the pleasure grounds in the fine park of the prince—bishop of York, is a favourite promenade. The castle contains a small collection of paintings, and a select museum of the minerals of Carinthia. Among the assemblage of curiosities, my attention was particularly arrested by models of Vesuvius, the Great Comic Alp, the Gross Glockner, with its glaciers, &c. They have been executed by a German, named Mutky, with the most elaborate care and precision. Klagenfurt has a pretty little theatre, and several flourishing manufactures of cloth, silk, and muslin, the latter they are pleased to honour with the name of Manchester muslin! and if this miserable fabrication, is imposed upon the Austrians for English, they must, indeed, marvel at the fame of our manufactures. The town wore altogether the appearance of

life and prosperity, to which its situation on the high road to Italy, the Tyrol, Salzburg, and Vienna, materially contributes. Here, also, I observed, from the cleanliness of the streets, the blue eyes and blond hair of the inhabitants, that I was once more approaching the land of my Teutonic enterprise.

One of the pleasantest excursions in the vicinity, is that to Villach, along the banks of the Wörthsee. This beautiful lake, about four leagues in length, is surrounded by the finest scenery; and ruined castles, green fields, forests, hills, and alps, combine their attraction to form the landscape. On parting from the lake, we enter almost immediately the romantic valley of the Drave, which conducts us to our destination. Here I was much amused by seeing the rapid surge bearing along a fleet of barrels, made into a sort of raft, having a pole in the centre, to which was attached a small cask, decorated with wreaths of evergreens and flowers; upon the barrels were seated a troop of peasants in gaudy costume, with ribbons streaming from their hats, forming altogether a most bacchanalian and picturesque group, singularly contrasted with the wild country around. I found, on inquiry, that they were Hungarian peasants, who having disposed of their wines in the mountain districts of Carinthia, had converted their empty barrels into boats, and were now returning home,

THE ARTS, &c.

THE PNEUMATIC RAILWAY.

THE body of the railway is a cast-iron cylinder, with horizontal rails diametrically opposite to each other, and forming ledges on the sides of the cylinder. The quantity of iron in a given length, and the consequent cost of the cylinders, are ascertainable to a fraction, and the cylinders may be cast in substance as light as possible, since any required degree of strength may be given to the construction by ribs or rings upon the lower semi-circumference at long intervals. A padded cord, formed upon an iron-linked core, and made flexible, elastic, impervious to the atmosphere under a considerable pressure, and little liable to be acted upon by meteoric changes, is laid down in a trough over the extended longitudinal perforation or chase, through which the communication is effected from the internal apparatus called the dynamic traveller, upon which the power is obtained, to the external car called the governor, to which is attached the train of carriages to be drawn, in the place of the locomotive engine in the common system. The cord, being laid down in the chase, renders the tube or cylindrical body of the railway close, and as nearly air-tight as possible, or certainly as can be necessary; for if the atmosphere be admitted to an extent which shall almost reach the capacity of the air-pumps to withdraw it, still the action of the pumps would, in a few strokes,

make the valve perfectly air-tight, by inducing such a pressure of the atmosphere upon the upper quadrants of the cylinder, and upon the back of the cord itself, as to bring them into perfectly close contact. The lifting and laying down again of the valvular cord by the travelling apparatus, to allow of the communication from the internal to the external parts, and to permit, also, the access of the atmosphere to play upon the rear of the travelling piston and give the required impulse, are effected in a manner which is simple and certain.

To obviate the necessity of bringing the cylinders together with any great degree of accuracy, and that common castings may be sufficient for the purpose without the necessity of boring, the travelling piston is allowed to move freely and without packing, and the waste of air is very small; but, if necessary, an expanding piston may be found convenient in practice.

It is proposed to divide the line of pneumatic railway into sections of from three to five miles in length, according to the acclivities to be worked, since the steeper acclivity will require a higher degree of rarefaction to be obtained within the same time. High-pressure steam-engines, of sufficient power, at each of the stations which limit the sections, will work air-pumps of sufficient capacity to produce the required degree of rarefaction to overcome the resistance of the

load to be drawn within a given time; and the resistance being overcome, the train will proceed with a velocity equal to that with which the pistons of the air-pumps are worked.

It is necessary to state, that the cylinder of the railway is intercepted internally at the stations, and so divided into sections, by a vertical valve. The presence of this directs the action of the engines upon that section over which a train has to be brought, whilst the engines at the station next in advance are preparing the following section to receive and bear it along. Hence the withdrawal of the vertical or station-valve allows the on-coming train to pass at once, and without losing its momentum, into the next section, and within the action of the next station of engines,—whilst its return leaves the passed section free to be operated upon again for another train; since, as before intimated, the impelling column of air is admitted by the opening of the pneumatic valve immediately in the rear of the travelling piston, and has not to follow along through the cylinder from the extreme end behind it.

Besides the great economy with which tractive power can be obtained through this system by the agency of fixed steam-engines, and the certainty and safety with which it is applied, the system possesses the means, also, of increasing the power as it may be required, if the ordinary working be not at a high degree of rarefaction. But rarefaction to the extent of one inch of mercury only, or about a thirtieth of an atmosphere, will give upon the piston of a cylinder thirty-six inches in diameter, an amount of tractive power equal to that of an ordinary locomotive en-

gine. Let another inch of mercury be allowed for waste, friction, and other contingencies, and the rarefaction will then amount to only about a fifteenth of an atmosphere; so that there is a range at command, only limited by the economical consideration, whether it be better to maintain, permanently, engines of sufficient power to obtain the higher degree of rarefaction, and the consequent large amount of tractive power,—or to limit the acclivities.

Chemical Observations. — Professor Dobereiner, at Jena, has discovered another most remarkable property in platina and iridium. He found that either of these metals in its extreme state of fine division (such as may be obtained by its solution in sulphuric acid being mixed with certain organic matters, and excluded from the influence of light) on drying in the air, absorbed from 200 to 250 times its volume of oxygen gas, without combining with it chemically, and compresses it with a power which is equal to the pressure of from 800 to 1,000 atmospheres. Such a great mechanical attraction in a metal for oxygen gas is hitherto without any example, and at once explains all the previous discoveries made by Dobereiner, of the extraordinary chemical effect of those two metals in connexion with various oxidated substances and atmospheric air. Another discovery made by Dobereiner is that either, at the temperature of ninety of Réaumur, burns gradually and with a pale blue flame, which is only perceptible in the dark, and which will not set anything on fire, but which is itself so inflammable, that, on being approached by a lighted taper, it instantly

changes into a high-spreading brilliant flame.

Junction of the Rhine with the Danube.—The Government of Bavaria is now anxiously occupied with the consideration of a plan for uniting the Rhine with the Danube by means of a canal. The canal will have its source in the Danube, near Kelheim. Its course will follow the valley of the small river d'Altmuhl and the Sulz, as far as Neumarkt; from thence the canal will pass in the direction of Nuremberg, and pass the river Regnitz, by Furth and Bamberg. Its length will be 592,534 Bavarian feet, or 23 German miles. Its breadth will be fifty-four Bavarian feet, and its depth thirty-four. The highest elevation of the canal will be 273 feet above the surface of the Danube, near Kelheim, and 630 feet above the surface of the Regnitz, near Bamberg. This elevation will be attained by means of ninety-four locks. It appears, from an official calculation, that the conveyance of a quintal of goods throughout the whole length of the canal will not cost above a kreutzer and a half, including the expenses of navigation.

Shower of fish.—A correspondent of the "Asiatic Journal," at Bengal gives the following particulars of a fall of fish, which happened on the 17th of May, 1834, in the neighbourhood of Allahabad. — The Zemindars of the village have furnished the following particulars, which are confirmed by other accounts. About noon, the wind being from the west, and a few distant clouds visible, a blast of high wind, accompanied with much dust, which changed the atmosphere to a reddish yellow hue, came on; the blast appeared to extend in breadth

VOL. LXXVII.

about 400 yards, choppers were carried off, and trees blown down. When the storm had passed over, they found the ground south of the village to the extent of two bigahs strewed with fish, in number no less than 3,000 or 4,000. The fish were all of the Chalwa species (*Clopea Cultrata*, Shakspeare's Dictionary), a span or less in length, and from one and a half to half a seer in weight. When found they were all dead and dry. Chalwa fish are found in the tanks and rivers in the neighbourhood. The nearest tank in which there is water is about half a mile south of the village. The Jumna runs about three miles south of the village, the Ganges fourteen miles N. by E. The fish were not eaten; it is said that in the pan they turned into blood!"

Enumeration made by M. Arago of all the Severe Winters during the last ten Centuries. — In 806, the Rhone was frozen over; the cold was from eighteen to twenty centigrade degrees below Zero. In 1133 the Po was frozen from Cremona to the sea. In 1234 loaded waggons crossed the Adriatic in front of Venice. In 1305, all the rivers of France were frozen over. In 1324, it was possible to travel from Denmark to Lubec and Dantzic on the ice. In 1334, all the rivers of Provence and Italy were frozen; at Paris the frost lasted two months and twenty days. In 1468 it was necessary to break up the wine in Flanders with hatchets, in order to serve it out to the soldiers. In 1544, the same became requisite in France. In 1594, the sea was frozen from Marseilles to Venice. In 1657, the Seine was entirely frozen over. In 1767, the Seine was frozen for thirty-five succes-

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sive days. In 1709, the Adriatic and the Mediterranean, from Marseilles to Genoa, were frozen. In 1716 shops were established on the Thames; and finally, the Seine was entirely frozen over in 1742, 1744, 1766, 1767, 1776, 1788, and 1829.—*Paris Advertiser*.

Shower of Meteorolites. — The little village of Raffhaten, on the frontiers of Wallachia, was visited early in the morning of the 29th January by this singular phenomenon. About six o'clock in the evening of that day the inhabitants were aroused from their sleep by a noise as of a heavy shower of hail, which was immediately succeeded by a violent crashing of windows. Great was their astonishment, however, to find that the earth for the space of nearly two leagues in circumference was covered with a multitude of small stones, the smallest being about one quarter of an inch in diameter, and the largest about the size of a marble. These stones were of a light slate colour, and very heavy, and when put in the fire burnt like coal, emitting, however, a considerable quantity of gas. A French naturalist, M. Fouchard, who was at the time on a visit to the Hettman of Krunow, collected an immense quantity of these meteorolites.

The Degeneracy of the Potatoe. — We take the following extract from an article in the last “Quarterly Journal of Agriculture,” written by Mr. William Paton, of the Isle of Man.

Having stated, that the sort of potatoes most affected by the taint, are those which have been cultivated for the greatest length of time, on account of their superior qualities, *from the potatoe alone*, without resorting to the seed in

the berry, which is produced annually on the stalks, as if to preserve them from decay or degeneracy, he says,—“We now come to what I consider as the very root of the evil, namely, as predisposition in the potatoe itself to receive the disease in question. This predisposition I conceive to result from its having degenerated in consequence of having been subjected to a long course of artificial cultivation; and, therefore, that our attention must be directed mainly to the means of preventing this degeneracy, while we endeavour to remove all such external causes of the disease as may be under our control. That the potatoe, in common with all other cultivated productions of the vegetable world, has a tendency to degenerate when the laws of nature are deviated from must be granted; and, considering that it is not a native of this country, it is reasonable to expect that it will degenerate in proportion as means are neglected to prevent it from doing so.

“This tendency to degenerate is well known to exist even in trees which are cultivated by grafting; and to such an extent, that many of the first sorts of apple trees which were formerly cultivated with the greatest care, have long since become entirely worthless.

“With respect to the potatoe, nature clearly seems to have made provision for the permanent health, as well as for the productiveness, of her own offspring, in the seed contained in the berry, which the plant produces from its stalks; and, consequently, by our endeavouring to perpetuate any particular sort of potatoe by continually cutting and planting its

tubers, it is reasonably to be expected that we shall injure its general properties and powers, and thus gradually render it less fit for food, and more liable to disease. As I have already observed, extensive observation has fully satisfied me, that the taint by far more frequently attacks the long-cultivated, and more delicate sort of potatoes, than any others; the former, I conceive, because the vegetative powers have become enfeebled, and disordered by a long course of treatment opposed to nature; and the latter, because the very delicacy of their constitution renders them more liable, than the hardier sorts, to disease.

“ If the foregoing observations should be deemed correct, it will follow, that in order to be as certain of obtaining as good a crop of potatoes as it is possible to be, the ground, before being planted, should be thoroughly pulverized; the manure should be well fermented; the sets should be whole potatoes, and never deprived of their first shoots, nor allowed to ferment; and, lastly, that a constant succession of new sorts should be raised from the berries of the old one. The newly-raised sorts would, doubtless, admit of being cut with safety for several years, and would be but little affected by other external injuries, unless peculiarly delicate, as they would possess all the health and vigour of a plant propagated according to nature's laws. By attending to these few suggestions, the experience of several years of extensive observation warrants me in saying that a full crop of potatoes may, under all circumstances of the weather, at all times be secured. I would, however,

particularly recommend the raising of a succession of new sorts from the seed contained in the berry of the most approved old ones, as I firmly believe that the disease complained of is mainly to be attributed to this having been too generally neglected. In 1833, I raised from the berry a great variety of new sorts. In 1834 the best of them were selected, and planted separately. At the present time, although planted late and cut, they are displaying an extraordinary degree of health and vigour; while, in the same field, and almost by the same side of them, some of the old sorts are not only feeble, but both tainted and curled; thus unanswerably proving the necessity of having recourse to the assistance of nature to counteract the evils arising from a long course of artificial, and, in some respects, injudicious cultivation.

The Rot in Sheep.—A writer in the “Quarterly Journal of Agriculture” expresses his opinion that the buttercup, or crowfoot, is the cause of rot in sheep. The acrid qualities of the plant are well known; and the writer observes that whilst horses, cattle, and even pigs, refuse it, it is eaten by sheep and geese which are more liable to diseased livers than any other graminivorous animals. Salt, in the quantity of an ounce and a half in a pint of water, for three mornings successively, on an empty stomach, is recommended as a decided cure; and the writer states that on killing a sheep which had taken two doses, 160 flukes were taken out of its liver, most of which were dead. But, as a preventive of the disease, he considers that earth, in the shape of worm-casts or mole-hills, is necessary for the

health of the sheep, and that the extinction of moles by traps, and of worms by irrigation, may have given encouragement to the disorder.

The Annat Barley, a new Variety of Barley. — This new and seemingly superior variety is the produce of three ears which were picked by Mr. Gorrie, Annat Gardens, in a field on the farm of Flawcraig, Carse of Gowrie, Perthshire, in the harvest of 1830; since which period it has been grown at Annat Gardens. Hence its name. Last season it was sown on a ridge in the middle of a field, with common barley on one side, and Chevalier on the other. In bulk of straw it seemed to have the advantage of both these kinds; it was five days earlier ripe than the former, and about a fortnight before the latter; and it was also $2\frac{1}{2}$ lb. per bushel heavier than the Chevalier. From the Annat barley being of so recent introduction, it will be two years at least before a sufficient quantity of seed can be produced to render it the subject of extensive cultivation. — *Quarterly Journal of Agriculture.*

The Champagne Vintage. — The following is a statement of

the champagne vintage of the present year; — Verzenay 3,000 casks, Verzy and Willers-Marmery 1,500, Rely, Chigny, and Lude 1,000, Bouzy 1,000, Ambouney 1,000, Ay 10,000, Mareuil and Aenay 3,000, Haut-villiers, Dizy, and Cumieres 4,000, Epernay 4,000, Pierry 4,000, Moussy 2,500, Choilly 1,500, Cramant 2,000, Avize 8,000, Oger and Mesnil 16,000, Vertus 2,000 — total 64,500 casks, containing 220 bottles each, making in all 14,190,000 bottles. According to the estimate of the number of bottles which can be procured at the different manufactories, it appears that next year, when this vintage comes to be bottled off, there will be a deficiency to the number of 3,390,000. The manufactory of M. de Poilly can furnish 2,000,000, that of M. Dauhe 1,500,000, that of M. de Colout 1,200,000, that of M. de Violaine 1,800,000, that of Messrs. Pallier and Calegois 600,000, the Auzit factory 400,000, two others in the north 600,000, the four Lorraine factories, 2,500,000, and then of Croyeny 200,000 — total 10,800,000. The number required is 14,190,000; deficiency 3,390,000. — *Le Reformateur.*

PATENTS.

To John Hearle, of Devonport, engineer, for certain improvements in engine-pumps, applicable to ships, and every other purpose that a pump can be applied.

To Joseph Gibbs, of Kennington, engineer, for improvements in carriages, and wheels for carriages.

To Samuel Bagshaw, of the parish of St. James, Middlesex, for an improved filter for water and other liquids.

To Peter Rothwell Jackson, of Bolton-le Moors, Lancaster, engineer, for improvements in hydraulic presses and pumps.

To James Walton, of Sowerby Bridge, Yorkshire, cloth dresser, for improvements in the machinery used for raising the pile of woollen and other cloths.

To Daniel Rutter Long, of Bath, chemist for a new mode of applying certain antiputrescent and flavouring substances to meat.

To Jean Michael Cramer, of Leicester-sq., mechanic, for an improved steam-engine.

To Charles de Bergue, of Clapham, engineer, for improvements in machinery for spinning or twisting cotton, flax, silk, and other fibrous substances.

To Lemuel Wellman Wright, of Slone-terrace, Chelsea, engineer, for certain improvements in machinery or apparatus for making paper, being partly a communication from a foreigner residing abroad.

To Edward Galley Giles, of Lincoln's-inn-fields, for certain improvements on apparatus for engraving on copper and certain other substances.

To Samuel Garner, of Lombard-street, for an improvement in the art of multiplying drawings and engravings, or impressions.

To William Crofts of New Radford,

machine maker, for his improvements in machinery for making figured or ornamental bobbin-net.

To William Wells, of Salford, machine maker, and George Scholefield, of the same place, for an improved apparatus for cutting the pile or cords of fustians and other fabrics manufactured of cotton, wool, and other fibrous materials.

To Robert Whiteside, of Air, for certain improvements in the wheels of steam-carriages, and in the machinery for propelling the same, also applicable to other purposes.

To Alexander Craig, of Edinburgh, for improvements in steam-engines.

To James Lutton, of Tudor-place Tottenham Court Road, chair-maker, for certain improvements on castors for furniture.

To Robert Joseph Barlow, of Rudley, Yorkshire, for certain improvements in springs applicable to carriages, and other purposes.

To James Couch, of Stoke, Devonport, Captain in the Royal Navy, for certain improvements in ships' channels.

To Jacob Tilton Slade, of Carburton-street Fitzroy-square, for an improved metallic sheathing for the bottoms of ships and vessels.

To John Donkin, of Blue-anchor-road, Bermondsey, civil engineer, for certain improvements in machinery for making paper.

To Andrew Smith, of Princes-street, Haymarket, engineer, for a new standing rigging for ships and vessels, and a new method of fitting and using it.

To James Stewart of George-street, Euston-square, piano-forte maker, for improvements on the mechanism of horizontal, grand, and square piano-fortes.

To Alexander Shanks, jun. flax-spinner, in Arbroath, North Britain,

for certain improvements in machinery for preparing and dressing hemp, &c.

To James Cherry, of the city of Coventry, painter, carver, and gilder, for his invention of certain improvements on bedsteads or apparatus applicable for the ease and comfort of invalids and others.

To William Houston, of Fleet-street, printer, for certain improvements in type-founding.

To John Streets, jun. lace manufacturer, and Thomas Whitely, mechanic, both of Nottingham, for certain improvements in warp machinery, employed in the manufacturing of lace and other fabrics.

To John Jervis Tucker, of Trematon Hall, Cornwall, Esq. for certain improvements in tea and coffee urns.

To John Day, of York-terrace, Peckham, for an improvement in the construction of rail-ways.

To John Budd, of Liverpool, merchant, for improvement in printing silk, cotton, calico, or other fabrics, and in the manufacture of blocks, cylinders, or rollers, used for such purposes.

To Isaac Dodds, of Horsley Iron works, Tipton, engineer, for certain improvements in machinery for cutting and shaping wood and other materials, part or parts of which machinery are applicable to other useful purposes.

Francis Humphreys, of York-road, Surrey, engineer, for certain improvements in marine steam-engines, applicable also to steam-engines for other purposes.

Philip Augustus de Chapeaurouge, of Fenchurch-street, for a machine-engine, or apparatus for producing motive power, which he denominates a self-acting motive power, and is called in France, by the inventor, Voland Moteur Perpetual.

John Fenton, of Sydenham, Gentleman, for a composition or material to be used as, or as a substitute for, soap.

Henry William Nun, of Newport, Isle of Wight, lace manufacturer, for improvements in manufacturing the

ornamental parts of lace, and producing ornamented or embroidered lace.

Robert Gillespie, of Piccadilly, merchant, for certain improvements on trusses or instruments for the cure of hernia or rupture.

Donisthorpe, of Leicester, Worstead Spinner, and Henry Rawson, of the same place, Hosier, for certain improvements in the combing of wool and other fibrous substances.

James Hardy, of Wednesbury, Stafford, for improvements in axletrees for carriages, and other cylindrical or conical shafts.

Miles Berry, of Chancery-lane, civil engineer and mechanical draftsman, for certain improvements in the construction of rotary steam-engines; and, also, for certain improvements in the construction of printing machinery or presses.

Hugh Ford Bacon, of Christ's College, Cambridge, for an improved apparatus for regulating the flow of gas through pipes to gas-burners, with a view to uniformity of supply.

Samuel Parker, of Argyle-place, Regent-street, Middlesex, bronzist, for an improved metallic air and water stop and stopper.

John Ingledew, of Brighton, engineer, for an improved metallic safety-wheel and revolving axle.

Joseph Whitworth, of Manchester, engineer, for certain improvements in machinery for spinning and doubling cotton flax, wool, silk, and other fibrous substances.

Henry Booth, of Liverpool, gentleman, for compositions or combinations of materials applicable for the greasing of the axle-bearings of carriages, and the axle-spindles and bearing parts of machinery in general, which he intends to denominate the patent axle-grease and lubricating fluid.

James Boydel, jun., of Dee Cottage, Chester, esq., for improvements in machinery or apparatus for tracking or towing boats and other vessels.

Alexander Stocker, of Yeovil for improvement in machinery for manufacturing horse-shoes and certain other articles.

Godwin Embrey, of Lane Delph, Stoke-upon-Trent, Potter, for certain improvements in the ornamenting of china, glass, and earthenware.

Sir John Byerley, of Whitehead's Grove, Chelsea, Knight, for a composition which will effect a considerable saving in oil and soap used in the woollen manufactories. Communicated by a foreigner residing abroad.

John Mc Curdy, of Southampton-row, Middlesex, Esq., for an improvement or improvements in generating steam.

Wm. Kemp, of Burslem, Stafford, Teacher, for a machine for raising sunken vessels.

Ruben Earnshaw, of Huddersfield, York, dyer and chemist, for a certain improvement in preparing and working wool for making or manufacturing various fabrics.

To Frederick Bowman, of Great Alie-street, Middlesex, sugar-refiner, for an improvement in the process of renewing the virtues of animal charcoal, when exhausted or impaired, being a communication from a foreigner residing abroad.

To Henry Philips, of Exeter, chemist, for his invention of certain improvements in purifying gas for the purpose of illumination.

To William Banks, of Springhill Terrace, near Birmingham, manufacturer, for an improvement in machinery, pens and presses, for ruling and pressing paper.

To Henry Pinkus, late of Pennsylvania, but now of Oxford-street, gentleman, for improvements in inland transit; which improvements are applicable to an improved method and apparatus for carriages or waggons on railways or roads, &c.

To William Johnson, of the Horsley iron-works, in the parish of Tipton, gentleman, for improvements in boots and shoes.

To William Lucy, of Birmingham, miller, for certain improvements in steam-engines.

To Theodore Schwartz, technologist, formerly of Stockholm, but now of Bradford-street, Birmingham, for a practical application of known principles to produce mechanical power.

To Charles Appleby, of Sheffield, merchant, for certain improvements in manufacturing files.

To John Lane Higgins, of Oxford-street, for certain improvements in the construction of, and in working vessels for navigation.

To James Fergusson Saunders, of Tenterden-street, Hanover-square, for improvements in clarifying raw cane, and other vegetable and saccharine juices, and in bleaching such raw juices.

To John Joseph Charles Sheridan, of Walworth, Surrey, chemist, for an improvement in the manufacture of soap.

To William Mason, of Brecknock-terrace, Camden Town, engineer, for certain improvements on wheels, boxes, and axle-trees of carriages for carrying persons and goods on common roads and rail-ways.

To Joshua Procter Westhead, of Manchester, small-ware manufacturer, for certain improvements in the manufacture of small-wares, and an improved arrangement of machinery for covering or forming a case around any wire, cord, gut, thread, or other substance, so as to render the same suitable for various useful purposes.

NOTE.—*The Law of Letters-Patent.*—Rules to be observed in proceedings before the Judicial Committee of the Privy Council, under the act of the 5th and 6th of William IV., entitled “An Act to amend the Law touching Letters-Patent for inventions.” (cap. 83.)

Rule 1. A party intending to apply by petition under section 2 of the said act, shall give public notice by advertising in the *London Gazette* three times, and in three London papers, and three times in some country paper published in the town where, or near to which, he carries on any manufacture of any

thing made according to his specification, or near to or in which he resides, in case there shall not be any paper published in such town, that he intends to petition his Majesty under the said section, and shall in such advertisements state the object of such petition, and give notice of the day on which he intends to apply for a time to be fixed for hearing the matter of his petition (which day shall not be less than four weeks from the date of the publication of the last of the advertisements to be inserted in the *London Gazette*), and that on or before such day notice must be given of any opposition intended to be made to the petition, and any person intending to oppose the said application shall lodge notice to that effect at the Council-office on or before such day so named in the said advertisements, and having lodged such notice shall be entitled to have from the petitioner four weeks' notice of the time appointed for the hearing.

2. A party intending to apply by petition under section 4 of the said act, shall in the advertisements directed to be published by the said section, give notice of the day on which he intends to apply for a time to be fixed for hearing the matter of his petition (which day shall not be less than four weeks from the date of the publication of the last of the advertisements to be inserted in the *London Gazette*), and that on or before such day caveats must be entered; and any person intending to enter a caveat shall enter the same at the Council office on or before such day so named in the said advertisements; and having entered such caveat shall be entitled to have from the petitioner four weeks' notice of the time appointed for the hearing.

3. Petitions under sections 2 and 4 of the said act must be presented within one week from the insertion of the last of the advertisements required to be published in the *London Gazette*.

4. All petitions must be accompanied with affidavits of advertisements having been inserted according to the provisions of section 4 of the said act, and the 1st and 2d of the rules, and the matters in such affidavits may be disputed by the parties opposing upon the hearing of the petitions.

5. All persons entering caveats under section 4 of the said act, and all parties to any former suit or action, touching letters patent, in respect of which petitions shall have been presented under section 2 of the said act, and all persons lodging notices of opposition under the first of these rules, shall respectively be entitled to be served with copies of petitions presented under the said sections, and no application to fix a time for hearing shall be made without affidavit of such service.

6. All parties served with petitions shall lodge at the Council-office, within a fortnight after such service, notice of the grounds of their objections to the granting of the prayers of such petitions.

7. Parties may have copies of all papers lodged in respect of any application under the said act at their own expense.

8. The Master of the High Court of Chancery, or other office to whom it may be referred to tax the costs incurred in the matter of any petition presented under the said act, shall allow or disallow in his discretion all payments made to persons of science or skill examined as witnesses to matters of opinion chiefly.

Council-office, Whitehall, Nov. 18, 1835.

POETRY.

EPISTLE FROM THOMAS CAMPBELL, ESQ. TO HORACE SMITH, FROM ALGIERS.

DEAR HORACE, be melted to tears ;

For I'm melting with heat as I rhyme ;—

Though the name of this place is All-jeers,

'Tis no joke to be caught in its clime.

With a shaver from France who came o'er,

To an African inn I ascend ;

I am cast on a barbarous shore,

Where a Barber alone is my friend.

Do you ask me the sights and the news

Of this wonderful city to sing ?

Alas ! my hotel has its muse ;

But no muse of the Helicon's spring.

My windows afford me the sight

Of a people all diverse in hue :

They look black, yellow, olive, and white,

Whilst I, in my sorrow, look blue.

Here are groups for the painter to take,

Whose figures jocosely combine,—

The Arab, disguised in his haik,

And the Frenchman, disguised in his wine.

In his breeches, of petticoat size,

You may say, as the Mussulman goes,

That his garb is a fair compromise

'Twixt a kilt and a pair of small-clothes.

The Mooredresses, shrouded in white,

Save two holes for their eyes that give room,

Seem like corpses in sport or in spite,

That have slily whipp'd out of the tomb.

The old Jewish dames make me sick :

If I were the Devil, I declare,

Such hags should not mount a broom-stick

In my service, to ride through the air.

But, hipp'd and undined as I am,

My hippogriff's course I must rein

For the pain of my thirst is no sham,

Though I'm bawling aloud for Champagne.

Dinner's brought ; but their wines have no pith,—
 They are flat as the Statutes at Law ;
 And for all that they bring, my dear Smith,
 Would a glass of brown stout they could draw.

O'er each French trashy dish as I bend,
 My heart feels a patriot's grief ;
 And the round tears, O England ! descend,
 When I think on a round of thy beef.

Yes, my soul sentimentally craves
 British beer.—Hail ! Britannia, hail !
 To thy flag on the foam of the waves,
 And the foam on thy flaggons of ale.

Yet I own, in this hour of my drought,
 A dessert has most welcomely come ;
 There are peaches that melt in the mouth,
 And grapes blue and big as a plum.

There are melons, too, luscious and great ;
 But the slices I eat shall be few ;
 For from melons incautiously eat,
 Melon-cholic effects might ensue.

“ Horrid pun ! ” you'll exclaim ; but be calm,
 Though my letter bears date, as you view,
 From the land of the date-bearing palm,
 I will palm no more puns upon you.

T. C.

WILLIAM COBBETT.

BY MR. E. ELLIOTT.

OH, bear him where the rain can fall,
 And where the winds can blow,
 And let the sun weep o'er his pall,
 As to the grave ye go !

And in some little lone churchyard,
 Beside the growing corn,
 Lay gentle nature's stern prose bard—
 Her mightiest peasant-born !

Yes, let the wild flower wed his grave,
 That bees may murmur near,
 When o'er his last home bend the brave,
 And say “ A MAN lies here.”

For Britons honour Cobbett's name,
 Though rashly oft he spoke ;
 And none can scorn, and few will blame,
 The low-laid heart of oak.

See, o'er his prostrate branches, see,
 Ev'n factious hate consents
 To reverence in the fallen tree
 His British lineaments !

Though gnarl'd the storm-toss'd boughs that braved
 The thunder's gather'd scowl,
 Not always through his darkness raved
 The storm-winds of the soul.

Oh, no ! in hours of golden calm
 Morn met his forehead bold ;
 And breezy evening sung her psalm
 Beneath his dew-dropp'd gold.

The wren its crest of fibred fire
 With his rich bronze compared,
 While many a youngling's songful sire
 His acorn'd twiglets shared

The lark, above, sweet tribute paid,
 Where clouds with light were riven ;
 And true-love sought his blue-bell'd shade,
 " To bless the hour of Heav'n."

Ev'n when his stormy voice was loud,
 And guilt quaked at the sound,
 Beneath the frown that shook the proud,
 The poor a shelter found.

Dead Oak, thou liv'st ! Thy smitten hands,
 The thunder of thy brow,
 Speak, with strange tongues, in many lands,
 And tyrants hear thee now !

June 23rd, 1835.

LINES BY MR. WORDSWORTH ON HEARING OF THE
 DEATH OF HOGG THE ETTRICK SHEPHERD.

WHEN first, descending from the Moorlands,
 I saw the stream of Yarrow glide
 Along a bare and open valley,
 The Ettrick Shepherd was my guide.

When last along its banks I wandered,
 Thro' groves that had begun to shed
 Their golden leaves upon the pathways,
 My steps the Border Minstrel led.

The mighty Minstrel breathes no longer,
 'Mid mouldering ruins low he lies;
 And death upon the Braes of Yarrow
 Has closed the Shepherd-poet's eyes:

Nor has the rolling year twice measured,
 From sign to sign, his steadfast course,
 Since every mortal power of Coleridge
 Was frozen at its marvellous source;

The rapt One of the Godlike forehead,
 The heaven-eyed Creature, sleeps in earth;
 And Lamb, the frolic and the gentle,
 Has vanished from his lonely hearth.

Like clouds that rake the mountain summits,
 Or waves that own no curbing hand,
 How fast has Brother followed Brother
 From sunshine to the sunless land!

Yet I, whose lids from infant slumbers
 Were earlier raised, remain to hear
 A timid voice, that asks in whispers
 "Who next will drop and disappear?"

Our haughty life is crowned with darkness,
 Like London with its own black wreath,
 On which, with thee, O Crabbe, forthlooking
 I gazed from Hampstead's breezy heath;

As if but yesterday departed,
 Thou too art gone before; yet why
 For ripe fruit seasonably gathered
 Should frail survivors heave a sigh?

No more of old romantic sorrows
 For slaughtered Youth and love-lorn Maid,
 With sharper grief is Yarrow smitten,
 And Ettrick mourns with her their Shepherd dead!
 "*Rydal Mount, Nov. 30, 1835.*"

I N D E X.

[N.B. The figures within crotchets refer to the History.]

- ABDUCTION, case of, at Castle Fleming, Ireland, 29
- Abercromby, Mr., proposed as Speaker in opposition to Sir C. M. Sutton, [17]; at first declines, [19]
- Aberdeen, Lord, his speech relative to Slave Abolition, [105]
- Accidents: explosion at Rushby Park colliery, 18; seven persons drowned in the Mersey, 36; explosion in a coal-pit at Wigan, 43; ditto at Ramhurst powder-mills, 67; ditto two steam-boilers, Liverpool, 72; death by lightning, 79; explosion of powder-magazine, Munich, 80; death by lightning, 88—90; accident occasioned by steam-boats on the Thames, 90; two persons killed by the falling of part of the West Tower of Durham Cathedral, 94; coal-mine explosion at Wallsend, 95; accident in a coal-pit, 102; accidents on the Thames, *ib.*; accident on the Thames by a steamer, 106; nine men killed by the falling of the tunnel of the London and Birmingham railway, 108; a person entombed alive twenty-three days by part of a coal-mine falling in, 142; explosion in a colliery near Dudley Port, 153; steam-boat accidents off Greenwich, 154, 162; bursting of a dam at Greenock, 162; accidents in the fog, 175; deaths by drowning in the Serpentine, 177; ditto in the canal, St. James's park, 178
- Agricultural labourers, emigration of, 144
- Airdrie, riot of Irish Roman Catholics at, 105
- Aldborough, sale of votes by the burghesses of, [243]
- Algiers, treaty between the French and Abdel Kader, [423]; subsequent hostilities and losses on the part of the French, [424]; another expedition from France sent out, headed by the Duke of Orleans, *ib.*; Mascam, Abdel Kader's capital, razed to the ground, *ib.*
- America, North—see *Canada, Mexico, United States.*
- America, South—see *Buenos Ayres, Peru.*
- America, South, eruption of a volcano; Talca, Corico, &c., destroyed by an earthquake, 36
- Amsterdam, riots at, [473]
- Arabia, unsuccessful attempt on the part of Egypt to subdue it, [499]
- Arago, M., his application of the doctrine of probability to juries, [416]; account of severe winters by, 336
- Argau, religious dissensions in the canton of, [486]
- Armansperg, Count, made arch-secretary of state in Greece, [492]; extensive powers conferred on him in that capacity, [493]
- Assassination, attempted on the King of the French, [410]; do. President of the United States, 17
- Assizes and Sessions:—
- Appleby*: J. Greenwell, murder of Thomas Grisdale, 43
- Armagh*: several Orangemen, &c., for holding party processions, 57
- Bedford*: J. Burgoyne, &c., rioting, 110
- Bristol*: Mary Ann Burdock, murder, 283
- Bury St. Edmond's*: S. Brown, murder, 120
- Cambridge*: Hurston, clerk *v.* Fawcett, bribery at the election, 48; do. *v.* Canham, do., 50
- Carlrow*: T. Kehoe, &c., riot and assault on E. Mulligan, 67
- Greenwich*: — Ingram, robbery at Greenwich Hospital, 138
- Derby*: Christopher Bird, stealing, 48; W. Wild, murder of Elizabeth Smith, 118.
- Huntingdon*: Fras. Beard, arson, 111
- Lancaster*: Norman Welch, murder of W. Southgate, 50; John Orrell, murder of his daughter, 54
- Monmouth*: The King *v.* T. Tims, inn-keeper, refusing refreshment to a traveller, 63
- Taunton*: W. Howe, and J. House, murder of J. Harvey, 64
- Warwick*: W. Dollman, N. Hedge, and J. Gough, murder of W. Painter, 61

INDEX.

- Winchester*: The King *v.* the Bishop of Winchester, &c., assault on the Rev. Cornelius Griffin, 58
- Athens, the seat of the Greek Government transferred to, from Nauplia, [490]
- Austria, death of the Emperor Francis, [478], 215; inauguration of the Emperor Ferdinand, Archduke, 94
- Bahia, insurrection of the negro slaves, [514]
- Ballot, vote by, motion for, [345]
- Barcelona, insurrection at, and destruction of several convents, [447]
- Barley, the Annat, 340
- Bavaria, number of illegitimate children in, [482]; the subject brought before the two chambers, [483]
- Beer liquor, consumption of, [117]
- Belfast, riot at, 105
- Belgium: liberality towards Jews and Protestants, [195]; foreign relations, [473]; budget, [474]; motion for abolition of capital punishment, *ib.*; bill relative to municipal authorities, *ib.*; new elections, [475]; dissensions respecting an alien bill, *ib.*; petition from Ghent for duties on foreign cotton manufactories, [476]
- Bellini, composer, death, 236
- Berne, disputes between that canton and Zurich, [483]
- Bigamy, trial for, (R. E. Bruce), 14
- Births, 188
- Bishoprics, new, proposed, [148]
- Booker, Rev. Luke, death, 237
- Bonded spirits, fraud on the revenue in regard to, at Liverpool, 174
- Boroughs, plan for reform of, [242]; the powers conferred on them by charters to be abridged, [244]; qualification for electors, *ib.*; boroughs to be divided into two schedules, [246]; magistrates, *ib.*; Sir Robert Peel's qualification for members of town councils rejected,
- Böttiger, Professor, death—see *Obituary*.
- Bribery at elections, case of Henslow *v.* Fawcett, 48
- Brinkley, Dr., Bishop of Cloyne, death, 235
- Brougham, Lord, his speech relative to the dismissal of the Melbourne ministry, and conduct of the Duke of Wellington, [193]
- Brunswick, Charles, ex-Duke of, legal proceedings against by the Duke of Cambridge, 15
- Budget, [357]; France, [392]; Portugal, [465]; Belgium, [474]
- Buenos Ayres: Rosas resigns his military command [515]; elected governor and captain-general, [516]; Quiroga murdered, *ib.*; Reinafé governor of Cordova, and his brothers accused of the murder, *ib.*; attempt at a revolution in the province of Tucuman, *ib.*
- Burdett, sir F., his address to the Westminster electors, [13]
- Buxton, Mr. Fowell, his motion of inquiry relative to the slavery-abolition bill, [353]
- Calabria, earthquake in, 154
- Cambridge, storm at, 93
- Campbell, T., Epistle from Algiers to H. Smith, 345
- Canada: petition from the House of Assembly to Parliament, [360]; opposition of the House of Assembly to the Governor, [381]; Lord Gosford appointed Governor, [383]; his speech to the two Houses of Legislature, *ib.*; demands on the part of the latter, [385]; the agent's bill for the appointment of Mr. Roebuck thrown out by the council, [386]
- Cape of Good Hope, irruption of the Caffres on the English settlements, [372]; they attack Graham's Town, [373]
- Carey, rev. Dr., death, 203
- Carlow election—see *Raphael*.
- Cassel, disturbance at, [481]
- Chalmers, Alex., death, 210
- Champagne vintage, 340
- Chandos, marquis of, his motion for repealing the malt-tax, [113]; do. for the relief of agriculturists, [348]
- Chatham election, petition against the alleged interference of government officers in, [150]
- Chemical observations, 335
- Chimpanzee, the, at the Zoological Gardens, death of, 145
- Cholera, ravages of, at Leghorn, 133
- Church commission, [147]; first report from, 302; territory, *ib.*; revenue, 306; patronage, 312; condition of the dioceses, 315
- Church property, sale of in Portugal, [464]
- Church rates, [68]
- Coal mine, explosion in one at Wallsend, 95
- Cobbett, Wm., death, 224; lines on, 346
- Comet, Halley's, appearance of, 131
- Commission, church, see *Church*.
- public instruction, first report of, 316.
- for inquiry into ecclesiastical affairs, report of, [147]

I N D E X.

- Commission, the municipal, petitions against its reports, [265]
- Committees on military expenditure for the colonies, sinecures, and education, reappointed, [147]
- Commutation of tithes, plan for, [143]
- Conservatives, their sentiments respecting reform, [10]; the result of the elections in their favour, [13]
- Convicts, escape of, from Ilchester gaol, 74
- Coote, C., historical writer, death, 240
- Corn-rent, a, proposed to be substituted for tithes, [145]
- Corporations and boroughs, plan for reform of, [242]; abuses of charity funds, [243]; old modes of acquiring freedom to be abolished, [245]; financial matters to be arranged by town-councils, *ib.*; petitions from Bristol, Liverpool, &c. against the reports of the commission, [265]; sir C. Wetherell and Mr. Knight heard as counsel for the corporations against the bill, [267]
- Correspondence between O'Connell and sheriff Raphael, respecting the Carlow election, 147
- Courts:
- Arches' Court*: Tongue *v.* Allen or Tongue, nullity of marriage, 69; appeal from this court, case of Swift *v.* Swift, 299
- Central Criminal Court*: Two Blacks, piracy and murder, 38; W. Hall and Martha Handcox, stealing Mrs. Collins' jewels, 75; Patrick Carroll, murder of Eliz. Browning, 77; R. E. Bruce, bigamy, 146; W. Allen, and R. Clark, steam-boat accident, 170
- Exchequer*: The Attorney-general *v.* Atlee, &c., distillers, fraud on the revenue, 81
- King's Bench*: Gale and wife *v.* Dounaw, steam-boat accident, 106; the King *v.* Gibbs Crawford Antrobus, sheriff of Chester, 279
- King's Bench, Dublin*: G. O'Malley Irwin, barrister, uttering a forged letter, 19
- Cumberland, duke of, his conduct in connection with Orange Lodges, brought before the House of Commons by Mr. Hume, [328]; the duke's letter to the chairman of the committee, [332]
- Custom-House, robbery of diamonds at, 26; discovery of the jewels, 176
- Danube, junction of with the Rhine, 337
- Denmark: creation of a representative body called the Royal Council [476]
- Dent du Midi, Mont Blanc, fall of, 130
- Derby*: W. Wild, for the murder of Elizabeth Smith, 118
- Diamonds, robbery of at the Custom-House, 26
- Dioceses of England and Wales, present condition of, 316
- Dissenters' marriages, bill for the regulation of, brought forward by sir R. Peel, [137]
- Documents, public, 302
- Dramatic pieces and theatres, new enactments respecting in France, [421]
- authors, case (*Jerrold v. Morris*) relative to their remuneration, 296
- Dublin, trial relative to the Custom-house fire, 19; thunderstorm, 90
- Dupuytren, professor of surgery, death, 214
- Durham, west tower of the cathedral damaged by lightning and two persons killed, 94
- Earthquake, destructive one in south America, 36; at Palma in Majorca, 94; in Lancashire, 128; several villages destroyed by earthquake near mount Ardscheli, 143; Castiglioni, &c., destroyed in Calabria, 154
- Earthquake in Lancashire, 128
- Ecclesiastical Commission appointed, [19]
- causes, bill for administration of justice in, [148]
- sinecures proposed to be abolished, [149]
- Edinburgh, fire in the new buildings on the North Bridge, 11; attempt of the prisoners to escape from the gaol of 27
- Education, committee for inquiring into reappointed, [147]
- Egypt, ravages of the plague in, [499]
- Election riots, at Halifax, 5; Jedburgh and Hawick, 6
- Elections, the, favourable to the Conservative interests, [14]; give the Peel ministry a majority in regard to England, [16]
- Elliot, lord, sent to Spain to induce the Royalists and Carlists to abstain from putting their prisoners to death, [440]
- Ebrington, Dr., bishop of Ferns, death, 232
- Equator, the republic of, its boundaries and those of New Granada settled, [514]; the civil war terminated, *ib.*; Flores resigns the presidentship, and made general-in chief, *ib.*
- Euphrates expedition, the, 18

I N D E X.

- Evans, Colonel Lacy, commands the British auxiliaries in Spain, [445]; [461]
- Fairman, Colonel, case of, [333] the Serjeant-at-arms fails in executing the warrant for committing him to Newgate, [334]
- Female sailor, 24
- Fieschi, his attempt to assassinate the king of the French [410]; inquiry instituted respecting him [423]
- Finn, Mr. his motion for a committee of inquiry relative to Orange Lodges [326]
- Fires, buildings on the North-bridge, Edinburgh, 11; sixty-five houses burnt at Peterborough, 31; fire and loss of life at a baker's, City Road, 68; destructive fire at Barnet, 129; fire on board the "Perth" steamer 139; at the Penitentiary, Milbank, 141; Hatfield house, 167; fire at Mr. Chinnock's, Tottenham Court Road, three lives lost, 171
- Flogging, alledged death of a soldier by, 167
- Fish, shower of, 337
- Fog, numerous accidents in one, 175
- Follett, Sir W. solicitor general, his speech on the Irish church question, 187; moves an amendment respecting the franchise of burgesses, &c., [251];
- France, meeting of the chambers [387]; discussion respecting changes of the ministry, [388]; Bill for a grant for erecting a hall for the trials of the republicans, [389]; Committee on the Tobacco monopoly, [390]; Marshal Mortier resigns and the Duc de Broglie becomes prime minister [391]; finances, [392]; Bill to modify the customs tariff, [393]; do. for regulating the responsibility of ministers [394]; Petitions for reform in the representation, [395]; state trials before the chamber of Peers, [396]; the question of amnesty, [398]; difficulties caused by the prisoners insisting on choosing their own counsel, [399]; their turbulent conduct, [401]; the trials carried on in absence of the accused, [404]; proceedings of the Peers against the press, [405]; the editor of the Reformatteur fined, [407]; further proceedings in the state trials, *ib.* sentences passed on the prisoners from Lyons, [409]; escape of the Parisian ones *ib.* attempt to assassinate the King by the Infernal Machine [410]; three bills, in consequence, brought forward by the minister, the first for regulating the press, [412]; second for altering the proceeding in the trials by jury [414]; third for altering those in court of assize, [412]; discussions on the second bill, and M. Arago's theory respecting juries, [416]; increased deposit demanded from journals [420]; regulations in regard to theatres and dramatic pieces, [421]; the first bill carried *ib.* the chamber prorogued, [422]; editor of the Reformatteur imprisoned and fined, *ib.*; state trials resumed *ib.*; inquiry respecting Fieschi, [423]; military events in Algiers (see *Algiers*) *ib.* disputes with the United States [425]; the bill respecting the debt to the States laid before the Chamber of Deputies, [427]; and carried by a strong majority, [428]
- Freemen, plan for preserving their patrimonial rights and franchise, [250]
- Geneva, jubilee of the Reformation at, [130]
- Germany, religious and immoral publications, [478]; death of the emperor Francis of Austria, *ib.*; commercial league of Prussia respecting duties on imports and exports, [479]
- Goodwin F. architect, death, 234
- Greece, state of government transferred from Nauplia to Athens, [490]; judicial tribunals established, *ib.* public journals, [491]; operations against the disaffected in Messenia, *ib.* the regency terminated by King Otho's coming of age *ib.* his proclamation [492]; Armansperg made arch-secretary of state, *ib.* his great powers [493]; change of the ministry, *ib.* discontents among the Greeks, and hostility towards the Bavarian soldiery, [494]; the King of Bavaria sets out for Greece, *ib.*
- Greenwich Hospital, robbery, at, 138; their majesties visit, 143
- Graham, Sir James, his speech on appropriation of Irish church property, [180]
- Gros, Baron, historical painter, death, 229
- Grote, Mr. his motion for electing town councils by ballot, [261]; his motion respecting vote by ballot, [345]
- Haddington, earl of, his motion for omitting the clauses in the Irish church bill, for suppression of benefices, &c. [310]

I N D E X.

- Hardinge, Sir H. opens the government plan respecting the Irish church [162]
- Harvey, D. Whittle, his hostility to the House of Lords, [9]; his speech in the debate on the amendment to the amendment to the address, 83
- Hatfield House, fire at, and death of the dowager marchioness of Salisbury, 167
- Howick, election riot at, 6
- Hemans, Mrs. poetess, death, 224
- Hesse Cassel, new system of municipal organization, [480]; riot at Cassel [481]
- Hogg, James, Ettrick Shepherd, death, 240
- Holland, petition for a commission to inquire into the distresses of the agriculturists, [471]; plan for a corn law, [472]; the Belgium debt, *ib.* riots at Amsterdam, [473]
- House of Lords, attacks on the authority of, [365]; Mr. Rippon, gives notice of bill for removing the bishops [366]
- Hume, Mr. attacks Lord Stanley and his friends [98]; gives notice of a motion for limiting the votes on the estimates to six months [111]; speech in favour of the motion for repeal of the malt tax, [127]; resolutions moved by him in regard to Orange Societies, [326]; notice of motion for inquiry relative to the House of Peers, [366]
- Hunt, Henry, death, 215
- Humboldt, Baron W. death, 216
- Jamaica, address from the legislature to the governor, demanding an increase of magistrates, [377]; the governor's speech on opening session, [378]; address of reply [379]; the assembly dissolved and new one elected, [380]
- Jewellery, robbery of Mrs. Collins, 75; discovery of jewels stolen from the Custom House Quay, 176
- Ilchester, escape of six convicts from the gaol, 74
- Indians, insurrection of, and massacre of the whites by, at Para, [213]
- Indian Chief, wife of, (O Whow) dies in London, 7; deception practised upon him to entice him to England, 65
- Innkeeper, one fined for refusing to receive a traveller, 63
- Inquests: infant killed by its mother, 4; G. Austin aged 16, suicide, 32; C. Stanhope, killed by lightning, 79;
- Samuel and F. Holden, murder and suicide, 84; L. Mesurer, drowned by an accident on the Thames, 90; J. R. Eastwood, tithe collector, 97; H. Stanynought, a lad killed by his father, 133; Mr. Bales, death occasioned by excitement and fright, 135; the hon. Mrs. Petre, 136; Mrs. A. Umpleby, lunatic in Bethlehem Hospital, 153; W. Grittain, *ib.* drowned, 162; J. Mac Kerrell esq., extraordinary suicide, 165; T. Ramsby, alledged death from flogging, 167; W. Davis, &c. burnt to death, 171; Mr. G. Paton, &c. accidents in London Dock, 175; seven persons drowned in the Serpentine, 177; three drowned in canal St James' Park, 178; H. Stany-nought, 179
- Instruction, public report on commission on, 316
- Ipswich, petition against bribery at the election at, [338]
- Ireland, party processions, 57; severe distress in Mayo, 98
- Irish church, its revenues, views entertained respecting, by the Melbourne cabinet, [82]; question respecting the appropriation of its surplus revenues [159]; lord J. Russell's motion respecting the Irish church establish-ment, [172]; proposition of Catholics and Protestants [173] [290]; bill introduced by Lord Moipeth for regulating the Irish church, [289]; by which an annual rent charge is proposed to be substituted for the existing composi-tion, *ib.* provisions respecting parishes, [291]; the surplus fund to be ap-plied to national education, [292]
- Juries, new laws relative to, in France, [416]
- Kates, Captain, death, 220
- King's speech, at opening of the session, [37]; reply to the address [101]; speech at close of the session, [363]
- Klagenfurt, description of, 332
- Knatchbull, Sir E. his speech on the malt-tax, [125]: on Lord J. Russell's motion respecting the Irish church [177]
- La lies, motion for their admission to the galleries of the House of Com-mons, [346]
- Lacenaire, Avril, and François, trial of, for murder, 155
- 2 A
- VOL. LXXVII.

I N D E X.

- Lamb, C., death, 212
 Lansdowne, marquis of, speech respecting the marquis of Londonderry's appointment to St. Petersburg, [134]
 Law Cases, 279
 Leghorn, calamitous state of, occasioned by cholera, 133
 Leuchtenberg, prince Augustus, husband of the Queen of Portugal, his death, [466]
 Lists : Ministry, 181
 House of Commons, 182
 Sheriffs, 187
 Marriages, 188
 Promotions, 197
 Deaths, 203
 General acts, 261
 Local do, 266
 Littleton, Mr., his speech on the Irish church question, [194]; his argument for the reduction of the bishops' incomes, [195]
 Liverpool, visit of the Turkish ambassador to, 28; riot of the Roman Catholics, 103; discovery of an extensive fraud on the revenue, 174
 London, bishop of, speech supporting the earl of Haddington's motion, [311]
 Londonderry, marquis of, discussion concerning his proposed embassy to St. Petersburg, [128]; he declines the appointment, [133]
 Longevity : D. M. Kinley, 214; Aaron Ashton, 222;—Walk, 218
 Lyndhurst, lord, speech in reply to lord Brougham concerning the dismissal of the Melbourne ministry, [47]; alterations proposed by him in the Municipal Corporation bill, [275]; his motion for preserving the parliamentary franchise of freemen, [278]
- M'Crie, rev. Dr., death, 233
 Majorca, earthquake in, at Palma, 94
 Malaga, insurrection at, [436]
 Malthus, rev. T. R., death, 212
 Malt-tax, marquis of Chandos' motion for repealing, [113]; state of the malting trade, [118]
 Manchester, O'Connell's address at, [367] thunderstorm at, and in its vicinity, and deaths occasioned by it, 88
 Marriages, dissenters', proposed bill for regulation of, [137]
 Marriage, case of nullity of, *Tongue v. Allen*, 69
 Martos, Russian sculptor, death, 219
 Mathias, T. J., death, 234
 Matthews, Chas., actor, death, 227
 Melbourne, lord, moves an amendment to the address in the Peers on the King's speech, [39]
 Mendizabel, Spanish minister of finance, his military and political life, [451]; he forms a new ministry, on the resignation of Toreno, [452]
 Mexico : policy adopted by Santa Anna the president, [509]; revolt of the garrison of San Juan de Ulloa, [510]; Alvarez's attempt against Santa Anna's government, *ib.*; the president marches against the city of Zacatecas and entirely subdues the insurgents, [511]; a central constitution established, of which he is made head, *ib.*
 Monasteries, attack on, at Saragossa and Barcelona, [447]; order for their suppression in Catalonia, &c., [449]; decree by the Spanish government for the suppression of monasteries, [454]; sale of the property of monastic bodies, in Portugal, [464]
 Morpeth, lord, moves the amendment to the address in the Commons, [51]; his bill for regulating the Irish church, [289]; speech in the debate on sir R. Peel's motion respecting do., [304]
 Morrison, rev. Dr., death, 203
 Motherwell, W., poet, death, 238
 Mulgrave, lord, brings forward the subject of the slave abolition, [104]
 Munich, explosion of a powder-mill at, 80
 Municipal corporation bill, introduced in the Commons, [242]; in the Lords, [265]; government circular relative to, 140.
 Musical festival, the Yorkshire, 134
 Murder : T. Grisdale, 43; the innocence of a supposed murderer discovered after his execution, 44; murder of W. Southgate, 50; murder and rape, Ireland, 63; child murdered by its father, 54; J. Henwood murdered by his son, 55; numerous murders committed in Germany by a servant and her mistress, 56; W. Dollman, &c. tried for murder of W. Painter, 61; W. Harvey murdered by his apprentice, &c., 64; an infant buried alive by its mother, 67; Eliz. Browning, 77; H. Stanynought, killed by his father, 133; murder by a Catholic priest, 141; the Chardons, mother and son, murdered by Laccenaire, &c., 155; J. Rizou strangled by his family, 173.

I N D E X.

Nash, J., architect, death, 221
 National debt of the United States, extinction of, [503]
 Negroes, insurrection of, at Bahia, [514]
 New Orleans Advertiser, the editor of, seized
 New Granada, portion of debt assigned to, [513]; treaty concluded for defining its boundary from the republic of the Equator, [514]; census taken of the population, *ib.*
 Newspapers, discussions respecting repeal of duty on, [356]
 Newton, G. S., artist, death, 233
 Newmarket, storm at, 93

Obituary: rev. Dr. Carey, 203; rev. Dr. Morrison, 206; Olivia Serres, 210; Alex. Chalmers, *ib.*; J. B. Monck, 211; H. Bankes, 212; Chas. Lamb, 212; rev. T. R. Malthus, *ib.*; F. W. Smith, 214; Dupuytren, *ib.*; H. Hunt, 215; Emperor of Austria, 217; Leopold Robert, artist, *ib.*; H. D. Inglis, 218; R. Sharp, *ib.*; Pigault le Brun, 219; Baron W. von Humboldt, *ib.*; Martos, Russian sculptor, *ib.*; capt. Kater, 220; H. Parke, architect, *ib.*; W. Blanchard, actor, 221; J. Nash, architect, *ib.*; Mrs. Hemans, 222; Dr. O. Pughe, 223; E. Troughton, *ib.*; W. Cobbett, 224; C. Matthews, comedian, 227; baron Gros, artist, 229; R. Lemon, keeper of the state papers, 230; M. T. Sadler, 232; rev. Dr. M'Crie, 233; G. S. Newton, artist, *ib.*; H. Pocock, dramatist, 234; F. Goodwin, architect, *ib.*; Pinelli, artist, *ib.*; T. J. Mathias, author of 'Pursuits of Literature, *ib.*; Dr. Brinkley, bishop of Cloyne, 235; Bellini, composer, 236; Abbé de la Rue, *ib.*; rev. Luke Booker, 237; Don Telesforo de Trueba, *ib.*; Schröter, German artist, *ib.*; Professor Böttiger, 238; T. Heaphy, artist, *ib.*; W. Motherwell, poet, *ib.*; Thos. Taylor, the platonist, 389; C. Coote, historical writer, 240; Jas. Hogg, Ettrick Shepherd, *ib.*; Letitia M. Hawkins, authoress, 241

O'Connell, his speech on the hustings at Dublin, [15]; returned only by a small majority [16]; his speech at the close of the debate on the amendment to the address, [96]; aim of him and his party in regard to the revenues of the Irish church, [159]; his letter to Mr. Crawford, [183]; inveighs against the corruption of

freemen, [254]; petition against his election, [336]; he agitates for a reform of the House of Peers, [367]; his mission through the north of England and Scotland, *ib.*; his address at Manchester, *ib.*; at Newcastle, [368]; at Edinburgh, [369]; address to him from Glasgow, *ib. note*; change of public opinion against him, [370]
 Orange societies in Ireland, discussions respecting, [324]; motion for an inquiry into them, [326]; resolutions moved by Mr. Hume, *ib.*

Para, revolt of the Indians, who attack the city and massacre the whites, [515]

Paris, attempt to assassinate the King at, [410]

Parke, H. architect, death, 220

Parliament: dissolution of parliament, [7]; result of the elections, [13]; the opposition oppose Mr. Abercromby to Sir C. M. Sutton for office of speaker, [17]; meeting of parliament, [21]; debate on the election of speaker, *ib.*; Lord F. Egerton's motion in favour of Sir C. M. Sutton, *ib.*; Mr. Abercromby proposed by Mr. Dennison, [22]; Sir C. M. Sutton's speech referring to accusations against him, [23]; Mr. Abercromby's, [26]; Lord Stanley's, [27]; Lord J. Russell asserts the privilege of the house to remove the speaker, [29]; Sir R. Peel's speech, [31]; Mr. Cobbett's, [34]; Mr. Abercromby elected by a majority of ten, [35]; opening of the session, [37]; the King's speech, *ib.*; amendment to the address, moved by Lord Melbourne, [39]; Duke of Wellington's speech, [41]; declarations of the earl of Ripon, [50]; and duke of Richmond, [51]; address moved in the Commons by Lord Sandon, *ib.*; amendment moved by Lord Morpeth, *ib.*; Mr. Pemberton's speech, [56]; speeches in favour of the amendment, [59]; do. in favour of the address, [60]; Sir R. Peel's speech, explaining the course of policy pursued by the ministry, [61]; debate continued, Mr. Robinson's speech, [72]; Mr. Ward's, stating his grounds of opposition to the ministry, [74]; Lord Stanley's, in support of the address, *ib.*; Dr. Lushington's speech, [77]; Mr. Praed's, [78]; Lord J. Russell's for the amendment, [79]; Mr. Goulburn's, [82], Mr. D. W. Harvey's,

I N D E X.

[83]; Mr. Finch's, [85]; Mr. M'Lean's, [87]; Lord Dudley Stuart, [88]; Mr. Serjeant Goulburn, [89]; Lord Howick supports the amendment, although not wishing to remove ministers, [91]; Mr. Gisborne's speech, [93]; Sir James Graham's, [94]; Mr. O'Connell's, [96]; majority of seven for the amendment, [97]; Mr. Hume attacks Lord Stanley and his friends, [98]; Mr. Tennant's speech, reflecting on the opposition, [99]; the King's answer to the address, [101]; discussion in the Lords on the Slavery Abolition Act, [104]; Lord Aberdeen's speech, [105]; questions put in the Commons concerning the policy of ministers, and rumours of a dissolution, [106]; Sir R. Peel's reply, [107]; Mr. Hume's notice of a motion for limiting the votes on the estimates to six months, [111]; which he abandons, [112]; Marquis of Chandos's motion for repealing the malt-tax, [113]; Sir R. Peel's speech against the motion, [115]; difficulties attending a repeal of the tax, [120]; the motion supported by Mr. Cobbett and Mr. Bennett, [122]; Sir E. Knatchbull's speech, [125]; Mr. Baring's, [126]; Mr. Hume's, in favour of the motion, [127]; majority against it, [128]; discussion respecting the appointment of the Marquis of Londonderry as ambassador to St. Petersburg, *ib.*; and in the Lords, [133]; Duke of Wellington's speech, [134]; Marquis of Lansdowne's, *ib.*; bill brought forward by the ministry for regulating Dissenters' marriages, [137]; debate on it, [142]; plan for the commutation of tithes, [143]; bill ordered to be brought in, [146]; report of the commission on the property and patronage of the church, [147]; bill for improving the administration of justice in ecclesiastical causes, [148]; petition against the alleged interference of government officers in the Chatham election, [150]; motion to refer the petition to a select committee carried against ministers, [152]; Mr. Tooke's motion respecting a charter to the London University, *ib.*; the motion carried, and the King's answer to the address for a charter, [156]; ministers challenge a direct attack by a motion for a vote of want of confidence, which the opposition decline, [157]; ques-

tion of the appropriation of the surplus revenues of the Irish Church brought forward, [159]; notices of Lord J. Russell regarding reports from the Irish Church commission, [161]; ministers bring forward their own plan relative to the Irish Church, which is opened by Sir H. Hardinge, [162]; Sir R. Peel's speech, [165]; Mr. Hume insists upon the question of 'appropriation,' [167]; Mr. S. Rice's speech, [168]; Lord Stanley's, *ib.*; Mr. S. Rice's amendment, [171]; Lord J. Russell's motion for a committee on the Irish Church establishment, [172]; Sir E. Knatchbull's speech, [177]; Mr. Ward's, [179]; Sir James Graham's, [180]; Lord Howick's, [185]; Mr. Shiel's, [187]; Sir W. Follett's, [187]; Sir J. C. Hobhouse's, [190]; Mr. Praed's, [191]; Dr. Lushington's, [193]; Mr. Littleton's, [194]; Sir H. Hardinge's, [196]; contends that the Protestant church is not the source of disturbances in Ireland, [197]; which ought to be attributed to poverty and want of employment, [198]; Mr. Spring Rice's speech for the motion to go into committee, [199]; Lord Stanley's against it, [202]; Sir J. Campbell's, who attacks the inalienability of church property, [207]; Mr. Fowell Buxton's, [208]; Mr. O'Connell's, [210]; Sir R. Peel's, [212]; Lord J. Russell's motion carried, [221]; renewed debates in the committee on the resolution to appropriate the church revenues, [222]; the resolution carried by a majority of twenty-five, *ib.*; further resolution moved by Lord J. Russell, that Irish tithes ought to be founded on the principle of appropriation, [223]; Mr. G. Sinclair's speech against the resolution, [225]; Sir R. Peel's, [226]; the resolution carried, [230]; ministers resign, *ib.*; state of public opinion regarding that ministry, [233]; the re-formation of the Melbourne ministry, [237]; the new ministry confine their measures to municipal corporation reform and Irish tithe bill, *ib.*; Lord Alvanley's question respecting its coalition with Mr. O'Connell, [239]; commission of inquiry into the state of municipal corporations, [240]; Lord J. Russell details the plan of municipal government proposed by ministers, [242]; Sir R. Peel's speech, [246]; committee on

I N D E X.

the bill after the second reading, [248]; discussion respecting the boundaries of boroughs, *ib.*; do. franchise, [249]; Sir W. Follett's speech, [250]; opposition to the amendment proposed by him, [251]; which is thrown out, [255]; Sir R. Peel's amendment respecting the qualification for members of town councils, [257]; which is rejected, [260]; Lord Stanley's amendment respecting renewal of town councils, *ib.*; Mr. Grote's motion for electing town councils by ballot, [261]; discussions on the clause making town-clerks removeable at pleasure, [262]; the bill passed, [264]; introduced in the Lords, [265]; petitions against the reports of the municipal commission, *ib.*; Lord Melbourne's against counsel against the bill being heard, *ib.*; the hearing of counsel begun, [267]; Lord Melbourne's motion for going into committee on the bill, [268]; the Earl of Carnarvon's amendment, *ib.*; evidence heard, [272]; complaints against the commissioners, [273]; committee on the bill, [275]; alterations proposed by Lord Lyndhurst, *ib.*; the amendment opposed by Lords Brougham, Lansdowne, &c., [277]; but carried by a majority, [278]; Lord Lyndhurst moves another amendment, *ib.*; discussion respecting qualification of town-councillors, *ib.*; and a part of the council holding office for life, [280]; the amendment carried by a majority of eighty-seven, [282]; the bill passed in the Lords, [283]; Lord J. Russell complains of the amendments, *ib.*; discussion in the Commons, [285]; the amendment of the Commons agreed to by the Lords, and the bill finally passed, [288]; Lord Morpeth introduces a bill for regulating the Irish Church, [289]; its first reading, [292]; Sir R. Peel's motion for dividing it into two bills, [293]; he contends that there would be a deficit instead of a surplus in the Irish Church revenues, [298]; Mr. S. Rice's reply, [300]; debate continued, [302]; the motion supported by Sir J. Graham and Lord Stanley, [305]; the motion lost, [308]; clause introduced in the bill by ministers, *ib.*; bill passes the Commons, [309]; the Lords agree to all the clauses for the reduction and collection of tithe, [310]; Earl of Haddington's motion

for omitting all the clauses suppressing benefices, &c., *ib.*; Bishop of London's speech, [311]; the bill defended by Lord Lansdowne, &c., [313]; the motion carried by a large majority, [315]; minister abandon the bill, *ib.*; bill for suspending payment of advances made to the Irish Clergy, *ib.*; demands on the part of the Church of Scotland, [316]; Lord J. Russell's statement on the subject, [317]; commission of inquiry, [318]; dissatisfaction of the General Assembly, [319]; Orange Societies, in Ireland, [324]; Mr. Finn's motion respecting them, [326]; resolutions moved by Mr. Hume, *ib.*; debates, [329]; Sir R. Peel objects to the resolutions, [330]; Lord J. Russell's suggestions, [331]; Colonel Fairman's case, [333]; proceedings in regard to contested elections, [335]; petition against O'Connell's election, [336]; the Ipswich ditto, [337]; Great Yarmouth, [341]; Mr. Grote's motion for vote by ballot, [345]; bill for limiting the time of polling at contested elections, [346]; Mr. Berkeley's motion for admitting ladies to hear the debates, *ib.*; Marquis of Chandos's motion for the relief of agriculturists, [348]; discussion regarding the currency, [350]; Sir S. Walley's motion for repeal of the window-tax, [351]; Mr. Robinson's proposal for a general revision of taxation, *ib.*; alteration of the duties on tea, [352]; discussions respecting the grant to the West India planters, [353]; Mr. Bulwer's motion for a repeal of the duty on newspapers, [356]; the budget, [357]; taxes proposed to be reduced, [359]; affairs of Canada; petition from the House of Assembly, [360]; counter-petition, [262]; close of the Session, and King's speech, [363]

Parties, state of, at the opening of the year, [1]; increased influence of the Radicals, from the coalition of the late ministry with them and Papists, [3]

Party processions in Ireland, 57

Patents, 34; Law of Patents, 343, *note*

Peel, Sir R. his overtures to Lord Stanley and Sir James Graham, declined by them, [6]; his speech, explaining his proposed course of policy as minister, [61]; states his views with regard to the Reform Bill, [64]; his reply to Lord J. Russell respecting the policy

I N D E X.

- of the ministry [107]; observations on Lord Londonderry's appointment to St. Petersburg [130]; introduces a bill for regulating Dissenters' marriages [137]; brings forward a plan for the commutation of tithes in England, [143]; speech respecting the grant of a charter to the London University, [154]; ditto in the debate on the motion for going into Committee on the Irish church question, [212]; Speech against Lord J. Russell's second resolution, [226]; ditto. announcing the resignation of himself and his colleagues, [230]; ditto on the municipal corporation bill, [246]
- Penitentiary, Milbank, fire at, 141
- Perceval, Col. his speech respecting Orange Societies, [329]
- Persia, death of the king, [499]; various competitors for the throne, [500]; successful interference on the part of the English envoy, by which Mohammed the late king's grandson obtains the succession, *ib.*
- Peru: Slavery instigates the garrison at Callao to revolt against the government at Lima, [512]; the president retires to Bolivia, and with its assistance defeats the insurgent general, *ib.*
- Peterborough, sixty-five houses burnt at, 31
- Pigault le Brun, French novelist, death, 219
- Pilgrim, principal agent in the bribery at Ipswich election, [338] [340]
- Placard-bearers at the Metropolitan elections, informed against, 2
- Placards, seditious, 63
- Pneumatic railway, 334
- Pocock, Isaac, dramatist, death, 234
- Poetry, 345
- Poland, the Emperor of Russia's speech to the authorities at Warsaw, [487]; the Polish Loan, [489]
- Poor-laws, riots occasioned by, in Bedfordshire, 110; opposition to, at Henfield, 137
- Portugal: meeting of the Cortes, [463]; the opposition led by the Marquis of Saldanha, *ib.* act for the sale of national property, [464]; the budget and finances, [465]; law excluding Miguelites from public service, [466]; Prince Augustus of Leuchtenberg, the Queen's husband, *ib.* his death, *ib.* changes in the ministry, [467]; new cabinet formed, [468]; Queen's second marriage with the Prince of Saxe Coburg, *ib.* mutiny of the troops in the Cape de Verd Islands, [469]; termination of the Methuen treaty with England, [470]; convention entered into with Spain, *ib.*
- Potatoe, degeneracy of, 338
- Prentice, Mr. a witness concerning bribery at Yarmouth election, committed to Newgate, [342]; discharged, [345]
- Preston, Mr., case of in the affair of bribery at Yarmouth election, [343]; he and the other witnesses discharged, [345]
- Press, proceeding against in France, by the chamber of Peers, [405]
- Prussia, its scheme for a general system of commercial duties acceded to by the other states of Germany [479]; ecclesiastical disputes in Silesia, [480]
- §
- Queen, the dismissal of the Melbourne ministry falsely imputed to her, [3]
- Quiroga, General, murdered on returning from Cordova to Buenos Ayres, [576]; Reinafé, governor of Cordova, arrested as a participator in the assassination, *ib.*
- Radicals, cause of their adherence to the Whigs, [5]
- Railway, London and Birmingham, falling in of one of the shafts of the tunnel, 108
- Pneumatic, 334
- Raphael, Mr. Sheriff, his statement of the negotiations between him and Mr. O'Connell in the affair of the Carlow election, 147
- Rathcormac, the tithe affray at, [99]
- Reform, view taken of, by the Conservatives [10]
- Revenue laws, frauds on, 81, 174
- Rhine, junction of, with the Danube, 336
- Rice, Mr. Spring, his speech in support of the motion for going into committee on the Irish church question, [199]; Sir R. Peel's reply to his arguments, [217]; his reply to Sir R. Peel's speech on the Irish church revenues, &c., [300]
- Riesengebirge, the description of, 829
- Riots at Halifax, 5; Jedburgh, 6; Hawick, *ib.*; attack on the medical-school, Sheffield, 13; election riot at Wolverhampton, 86; Roman Catholic riot at Liverpool, 103; do. at Airdrie, 105; do. at Belfast, *ib.*; poor-law riots in Bedfordshire, 110
- Robbery, daring attack on Mint House, Surrey, and one of the robbers shot, 131.

I N D E X.

Robert, Leopold, artist, death, 215
 Robinson, Mr. motion for a general revision of taxation, [351]
 Roebuck, Mr. employed as agent of the Canadian House of Assembly, [359] [382]
 Rue, Abbé de la, French antiquary, death, 236
 Russel, Lord J., his letter to Mr. Abercromby, [19] *note*; speech in support of the amendment to the address, [79]; notices regarding reports from the Irish church commission, [161]; his motion for a committee of the whole house respecting the Irish church, [172]; the further resolution moved by him, after the first is carried, [223]; defeated in his re-election for Devonshire, [239]; his statement relative to the Church of Scotland, [317]; letter to Lord Minto on the Scotch church commission, [321]
 Sadler, M. T., death, 232
 Sailor, a female, Ann J. Thornton, 24
 Salisbury, the dowager Marchioness, burnt to death, 167
 Saragossa, attack on the monasteries, [447]
 Schröter, K. K. artist, death, 217.
 Scotland, Church of; application to government for an annual grant of 10,600*l.* [316]; opposed by the Lord Advocate, *ib.*; discussion in parliament respecting, [317]; a commission appointed, [319]; the Commissioners objected to by the General Assembly, [319]; Lord J. Russell's letter to Lord Minto, [321]
 Sheep, rot in, 339.
 Sheffield, attack on and pillage of the medical school by rioters, 13
 Ship, the "Sir Walter Scott" burnt by lightning, 96; fire on board the "Perth," 139
 Shipwrecks, the "Norah" of Liverpool, wrecked on Hoyle Bank, 31; loss of the "Athol" steamer, 139; of the cutter "Margaret," 173
 Slavery Abolition Act, discussion on, in the Lords, [103]
 Smith, F. W. sculptor, death, 214
 Society of the Rights of Man at Paris, indictment against, [397]; the system of association, [398]
 Spain: unpopularity of the government, [430]; dissatisfaction created by Llauder's appointment as minister of war, [431]; military revolt at Madrid, [432]; clamours against Llauder, *ib.*;

who returns to the captainship general of Catalonia, [433]; weakness of the ministry in the Cortes, [434]; the opposition demand a better organization of the Urban militia, [435]; state of finances, and appropriation of church property, *ib.*; seditions at Malaga and Saragossa, [436]; Mina appointed to the military command in the revolted provinces, [437]; events of the war in Navarre and Biscay, [438]; successes of the Carlists, *ib.*; cruelties practised by Mina, [439]; he resigns the command, *ib.*; succeeded by Valdez, [440]; Zumalacarregui invests Trevino, *ib.*; Lord Elliot sent out from England to put a stop to the execution of prisoners on both sides, *ib.*; tumult at Madrid in consequence, [441]; attempt to assassinate Martinez de la Rosa, president of the council, [442]; prorogation of the Cortes, [443]; de la Rosa resigns, and is succeeded by Count Torreno, *ib.*; the new cabinet, [444]; application to Britain and France for aid against the Carlists, *ib.*; permission to raise mercenaries in Britain, [445]; the Carlists take Elisondo, Irun, &c., *ib.*; Zumalacarregui killed at the siege of Bilboa, *ib.*; Eraso succeeds him in the command of the Carlist army, [446]; the Carlists raise the siege, *ib.*; Valdez resigns, and is succeeded by Cordova, *ib.*; attempt at Saragossa to proclaim the Constitution of 1812, which fails, but the populace attack and set fire to several convents, [447]; similar outrages at Barcelona, *ib.*; Llauder obliged to make his escape, [448]; Gen. Bassa murdered by the mob, *ib.*; the powers of government usurped by a junta who address a manifesto to the Queen, *ib.*; a similar junta formed at Saragossa, [449]; its order for the suppression of convents, *ib.*; similar proceedings at Valencia, Cadiz, Malaga, &c., *ib.*; demands of the junta at Corunna, *ib.*; embarrassed situation of the government, [450]; military revolt at Madrid, *ib.*; decree against the Juntas disregarded, [451]; the Andalusian insurgents march against Madrid, *ib.*; Mendizabel forms a new ministry, [452]; his memorial to the Queen, *ib.*; the other members of the ministry, [453]; decree regarding the press, [454]; do. for the suppression of monasteries, *ib.*; a levy en masse ordered, and the treasury enriched by the purchase of exemptions, [455];

I N D E X.

- meeting of the Cortes, *ib.*; the Queen Regent's speech, [456]; vote of confidence in the government, [457]; the new electoral law, [458]; military operations in Catalonia, &c., [459]; Mina marches against the Carlists, [460]; the British auxiliaries under Lieut.-Gen. Evans engage in the warfare, [461]; the Carlists deterred from attacking Bilboa by the arrival of the royal army of reserve, [462]; an auxiliary force from Portugal enters Spain, [463]
- Spirits, bonded, fraud on the revenue in regard to, at Liverpool, 174
- Stanley, Lord, his speech in support of the address, [74]; remarks on the Marquis of Londonderry's appointment to St. Petersburg, [129]; speech in support of Sir R. Peel's motion relative to the Irish Church bill, [305]
- Stanynought, H. murders his son, 133; commits suicide in the Peckham Asylum, 179
- State trials in France before the Chamber of Peers, [396]
- Strand Theatre, information against, 39
- Suicides; J. S. Clason and a female with whom he cohabited destroy themselves, 46; extraordinary suicide at Jersey, 161; J. Mac Kerrell, Esq. 164; H. Stanynought, 179
- Sutton, Sir C. M. his character as Speaker of the House of Commons, [18]; his speech in the debate on election of Speaker, [23]; on Mr. Abercromby being chosen Speaker, is made Viscount Canterbury, [36]
- Swift *v.* Swift, appeal from the Arches court, for restitution of conjugal rights, 299
- Switzerland, complaints of Berne and Lucerne against Zurich, [483]; religious differences in Argau, [486]; dispute between France and the Basle country, [487]; fall of the Dent du Midi, 130; J. Rizou murdered by his family, 173
- Syria, complete subjugation of, by the Pacha of Egypt, [498]; severities and cruelties practised against the inhabitants, [499]
- 25S; navigation ditto, 259; Stocks, 272; prices of corn, &c. 273; bills of mortality, 274; bankrupts, *ib.* weather, *ib.*
- Taxation, a general revision of, proposed by Mr. Robinson, [351]
- Taylor, Thos. the platonist, death, 239
- Tea, alteration of duties on, [352]
- Tennant, Mr. his speech reflecting on the opposition, [99]
- Theatre, Strand, information against, for performances without licence, 35
- Thunderstorm, violent at Manchester, 88; at Preston, 90; near Dublin, *ib.* at Cambridge and Newmarket, 93
- Timber, its liability to tithing, case respecting, 14
- Tithes, plan for the commutation of, in England, [143]; by a corn-rent in lieu of them, [145]
- Tobacco, committee in France to inquire into the monopoly in, [390]
- Town-councils, lord Stanley's proposal respecting, [260]; Mr. Grote's for their election by ballot, [261]; lord Lyndhurst requires a certain qualification in town-councillors, [278]
- Trials: G. O. Irwin, barrister, uttering a forged letter, 19; G. Knowlton, arson, 37; two Black sailors, piracy and murder on board the *Amelia*, 38; J. Greenwell, murder of T. Grisdale, 43; Norman Welch, murder, 50; J. Orrell, do., 54; W. Dollman, N. Hedge and J. Gough, do., 61; W. Hall and Martha Handcox, robbery of jewels, 75; Patrick Carroll, murder, 77; de la Roncière, at Paris, 99; J. Burgoyne, &c., rioting, 110; Fras. Beard, arson, 111; S. Brown, murder, 120; Lacenaire, &c., Paris, 155; Mary Ann Burdock, murder, 283
- Trueba, Don Telesforo, death, 237
- Tucuman, attempt at a revolution in that province, [516]
- Turkey: the influence of Russia, [494]; armed vessels of Great Britain or France refused admittance into the Black sea, [496]; insurrection in Albania, *ib.*; quelled by Vassaf Effendi, [497]; military operations against the rebels in Kurdistan, *ib.*; a constitution established in Servia, [498]
- United States: the dispute pending with France as to the pecuniary claims on that country, [425]; the president recommends reprisals upon French property, [426]; Congress declines
- Tables: public income, 242; public expenditure, 244; disposition of grants, 245; ways and means, 254; unfunded debt, 255; funded ditto, 256; trade of the United Kingdom,

I N D E X.

adopting such strong measures, [428]; the bill for the liquidation of the debt carried in the French Chamber of Deputies, *ib.*; proceedings regarding the dispute with France, [501]; extinction of the national debt, [503]; the president's continued hostility against the national bank, [504]; report of its affairs, [505]; bill for the expense of fortifications, [506]; disturbances in the slave states, and violent proceedings against slave emancipation, [507]; pretended negro conspiracies at Livingston, *ib.*; summary proceeding against suspected persons in Missouri, [508]; attack on the editor of a paper at New Orleans, [509]; failure of a bank at Baltimore and violence of the inhabitants against the shareholders in it, *ib.*; attempt on the president's life, 17.

University, London, Mr. Tooke's motion for an address to the crown to grant a charter to it, [152]

——— Oxford, examinations and prizes, 275

——— Cambridge, do., 277

Veil, ceremony of taking, at Kildare, 175

Venezuela: Paez again accepts the office of president, [512]; military insurrection, [513]; the rebels subdued by Paez and by Montilla, *ib.*

Vesuvius, eruption of, 1

Vote by ballot, Mr. Grote's motion for, [345]

Ward Mr. his speech in favour of appropriation of church property, [179]

Wellington, duke of, explains the course pursued by him on the dismissal of the Melbourne ministry, [41]; charge made against him by lord Brougham [43]

West India Planters, discussion respecting the grant to, [354]

Winters, severe, enumeration of, 336

Wolverhampton, election riot at, 86

Wordsworth, lines on James Hogg by, 347

Worms, address to the grand duke of Hesse Darmstadt from, [481]; his reply [481]

Yarmouth Great, petition complaining of bribery at the election, [341]; case of the witness Prentice, [342]; do Preston, Lacon, and Green, *ib.*

"Young Germany," account of the so called literary sect, [478]

Zumalacarregui, the Carlist leader, wounded mortally at the siege of Bilbao, [454]

